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(Hansard)**

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2nd Session
41st Parliament

Thursday
19 October 2017

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Jeudi
19 octobre 2017

Speaker: Honourable Dave Levac
Clerk: Todd Decker

Président : L'honorable Dave Levac
Greffier : Todd Decker



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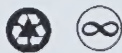
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2. The second part of the report is a detailed description of the methodology used in the study. It includes information about the sample, the data collection methods, and the statistical analysis techniques.

3. The third part of the report is a presentation of the results of the study. It includes tables, figures, and text describing the findings.

4. The fourth part of the report is a discussion of the results and their implications. It discusses the strengths and limitations of the study and suggests areas for further research.

5. The fifth part of the report is a conclusion and summary of the findings.

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2. Jones, K. (2001). The role of the immune system in the development of cancer. <i>Journal of the National Cancer Institute</i> , 93, 1000-1005.	1005
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GLOSSARY

1. Stress: A state of mental or emotional strain or tension resulting from adverse or demanding circumstances.	1000
2. Immune system: The body's defense system against disease and infection.	1005

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 19 October 2017

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 19 octobre 2017

The House met at 0900.

The Speaker (Hon. Dave Levac): Good morning. Please join me in prayer.

Prayers.

ORDERS OF THE DAY

STRENGTHENING PROTECTION FOR ONTARIO CONSUMERS ACT, 2017 LOI DE 2017 SUR LE RENFORCEMENT DE LA PROTECTION DES CONSOMMATEURS ONTARIENS

Resuming the debate adjourned on October 17, 2017, on the motion for second reading of the following bill:

Bill 166, An Act to amend or repeal various Acts and to enact three new Acts with respect to the construction of new homes and ticket sales for events / Projet de loi 166, Loi modifiant ou abrogeant diverses lois et édictant trois nouvelles lois en ce qui concerne la construction de logements neufs et la vente de billets d'événements.

The Speaker (Hon. Dave Levac): Further debate?

Mr. Jim McDonnell: I'm honoured to rise today on behalf of the residents of Stormont–Dundas–South Glengarry to speak to Bill 166, the Strengthening Protection for Ontario Consumers Act. At long last, reform of the Tarion Corp. and new home warranties in Ontario comes to this Legislature. Ever since my election in 2011 and my first appointment as critic to consumer services, I've heard many individuals and groups who related their ongoing gripes with Tarion and highlighted the challenges faced by ordinary Ontarians when trying to enforce what many of us would consider a basic requirement of buying a home in Ontario: buying one that is well built, safe and the one the buyers want.

For most of us, our home will be our life's largest investment. In the GTA, acquiring a place to call home can easily entail committing more than 10 years' worth of an individual's gross wages to the transaction. When we factor in other expenses, such as taxes, utilities and the cost of day-to-day life, our home becomes an asset around which much of our current and future net worth revolves.

Defects compromise not just homes and their value, but compromise an entire family's future. Ontarians don't only need to contend with Tarion and with the builder to see that their investment is safeguarded, they must keep their timely payments on a mortgage, whose value probably exceeds that of the defective house. This isn't a situation any family would want to find themselves in.

Construction gauges our economy. When builders build, it is a sign of confidence in future growth and prosperity. Through obligations and programs such as the building code and new home warranties, the government seeks to ensure that the construction doesn't happen just for construction's sake, and aims to enforce a consistent, minimum standard of safety and suitability for habitation.

Consumers and experts have known for a long time that this enforcement role should not be combined with that of the builder, yet that's exactly how Tarion has worked. Consumers have demanded a better system for years, asking for a regulatory framework where they could trust the arbitrators and resolve their disputes efficiently. When the government finally took the initiative and ordered a review be conducted by Justice Cunningham, many breathed a sigh of relief.

Before I continue, I would like to point out some of the concerns raised by those who participated in the consultations with Justice Cunningham. Many consumers were uncertain as to how their participation in the consultation, whether through a written submission or the oral presentations made at one of the round tables, would impact their current disputes with Tarion, some of which had reached the tribunal level.

The unfortunate reality for many Ontarians is that they do not need to develop an in-depth knowledge of a system such as Tarion and home warranties until an issue arises and they hit a wall. While the justice was thorough and accommodating of numerous individual needs, we should keep in mind that many individuals who had witnessed those less-than-desirable characteristics of a new home warranty framework in Ontario may have been deterred from providing feedback.

I attended one of the justice's round table consultations in Toronto as an observer and I was surprised by the small number of individuals present. This was not an isolated incident. Consumers who got in touch with my office reported low attendance at other public consultations held throughout the province.

The climate was such that consumers who had legitimate grievances about the system's workings were concerned about the possible negative consequences and outcomes in their disputes with Tarion if they voiced them, leading to more legal expenses, a devaluation of their home or the loss of the home altogether if the defects rendered it uninhabitable. How could such a concern even be conceivable in the province of Ontario?

We have an expectation of fairness and impartiality in our dispute resolution system, whether through the courts or through alternative means. As Justice Cunningham

said in his report, the multiple functions carried out by Taron made conflicting priorities possible within the organization. It acts as a regulator for the building industry, as the monopoly warranty provider and as the arbitrator in disputes between the builder and the consumer. It created a situation where the judge could be thought to have an interest in the case's outcome, a situation Justice Cunningham recommended we resolve by removing some duties from Taron and keeping it just as the regulator for the industry.

The justice, however, did not simply recommend splitting one monopoly into two agencies. Recommendation number 1 from the report highlighted that Ontario should follow the model already used internationally and in provinces such as Alberta, British Columbia and Saskatchewan, where new home warranties were offered in a competitive market.

In this bill, we see the current act governing Taron repealed and substituted with two acts establishing just two authorities but continuing the new home warranty plan and mandating that new homes be registered with it. The mandatory nature of the new home enrolment makes competition in new home warranty provision impossible, as it makes no sense for builders to pay twice for the same insurance product: once to the warranty authority and once to a private insurer.

Competition in a market with set and enforced minimum standards is a good thing. Competing for the same customer base encourages providers to enhance their product, reduce their price or improve their service, or all of the above. This happens on a daily basis in other businesses and there is no reason to assume consumers would not be well served by a well-regulated, competitive new home warranty marketplace.

Earlier this year, I wrote to the minister highlighting that, as legislators, we can give the government many options to implement legislation gradually without having to come to the House every time. Gradual implementation of the justice's recommendations can be achieved by proclaiming new acts or new sections as key stakeholders become ready to transition to the new regulatory framework. What we see in this bill instead is the creation of a new warranty monopoly without the corresponding future ability to create a competitive warranty market.

The government is also continuing the current system under which the warranty of a new home is not an insurance product subject to strict oversight and control by financial oversight bodies, but an assurance from the builder to the buyer.

0910

This goes against Justice Cunningham's recommendation number 3 which explicitly stated that new home warranties should be an insurance product. This definition change could bring many benefits. First and foremost, providers of insurance are subject to much stricter oversight standards than conventional delegated authorities are. The ministry's model for delegated authorities changed in recent years with the routine introduction of

Auditor General oversight into legislation. However, this is a far cry from the level of oversight exercised over insurance providers.

Here's Justice Cunningham's list from his report:

- “—requirements for minimum capital;
- “—corporate governance rules;
- “—investment restrictions;
- “—reporting requirements to a designated statistical agency and to the Superintendent of Financial Services ...;
- “—obligation to refrain from defined unfair and deceptive practices;
- “—requirement to contribute to a compensation association that compensates policyholders who suffer loss when an insurer becomes insolvent; and
- “—obligations to comply with various requirements regarding the insurance policy and the handling of claims;”
- a mandatory complaint process; and
- lastly, dispute resolution through the Financial Services Commission of Ontario and the General Insurance OmbudService.

Taron, as it is today, has an internal ombudsman tasked with resolving complaints arising from the handling of consumer claims against their builders. It may be better than nothing, but it does not provide the same level of independent oversight as the Ombudsman of Ontario, FSCO or the General Insurance OmbudService can provide.

We are disappointed that the government has not considered all the recommendations of the Cunningham report. There is little to no need to create new products or craft brand new legislative frameworks. Providers of new home insurance in those provinces with a competitive marketplace have expressed interest in serving Ontarians and making their products available to them. Clearly, there is an appetite among consumers and among potential, regulated and accountable providers for change which, to date, this government has not delivered.

Throughout the Taron review and the nine years that led to it, consumers have complained both openly and in confidence about the procedures in place for making a claim with Taron and resolving it through the administrative and legal means. In particular, stakeholders highlighted the need to reduce the cost and time commitment required to resolve a complaint in a definitive manner.

Justice Cunningham's report contains several recommendations concerning the dispute resolution process. He documented consumers' concerns with the current system effectively and extensively, noting how the involvement with a monopoly regulator and the warranty provider caused a perception of an inequitable process.

Moreover, adjudication by an independent body would help deliver a fresh look at warranty claim disputes that the consumer and the warranty provider have not been able to resolve. A fresh-look component is important. By the time the dispute reaches adjudication, both the consumer and the warranty provider have formed significantly entrenched opinions regarding the claim and the

facts presented therein. Independent and impartial review helps bring an objective perspective to what can be today instead a greatly contentious process.

In recommendations 20 and 21, Justice Cunningham highlighted that any alternative or complementary dispute resolution process implemented under these new provisions should coexist with—not substitute itself to—existing homeowners' rights to sue and pursue appeals through our court system.

The courts also guarantee a certain standard and an array of remedies that are available to consumers in the case of a victory. I am pleased to see that the government has explicitly guaranteed the explicit continuation of existing remedies in section 52(18), although they gave themselves the power to affect these existing remedies by regulation.

This is not an approach we can agree with. Ontarians have the rightful expectation to be able to take an issue to court or a tribunal or an adjudicator, and to have access to these remedies that will resolve the issue completely. If and when this right is to be taken away, and the remedies available to consumers against the warranty provider or the builder are to be restricted, such a provision should come to the floor of this House for a full debate and examination. Giving the minister the power to unilaterally remove remedies is far too big a step.

Regulation is an effective tool for clarifying details that are either too cumbersome to put in legislation or that are subject to frequent change and would grind this House to a halt if they were to be approved in their new form in three readings every time they were to be altered. The building code is an example of such a regulation, as are electrical and technical safety standards. They all have a common thread uniting them: any reasonable person in Ontario would expect some form of regulation to exist in that sector. The public might not know what the regulation says, but they know that a regulation probably exists.

There is no reason for any Ontarian to expect that their right to a certain level of compensation or a certain standard of performance has been taken away.

There is little awareness among Ontarians of the difference between legislation and regulation, or of the fact that regulations do not go through the House but are approved at the ministry level and come into force when they are filed electronically and displayed on e-Laws, a resource most Ontarians might not know exists.

To give the government a blanket power to remove or limit the existing remedies, including potentially those previously awarded in other disputes, does not serve either the cause of fairness or that of transparency.

Dispute resolution was clearly a sore point for many consumers and other stakeholders who came to Justice Cunningham with feedback. More than a quarter of the recommendations of this report—nine of the 37 total—address issues that arise when a consumer and the warranty provider disagree over a claim.

Here are some of the issues he addressed:

- independent, neutral and accessible process;
- review of decisions of the independent adjudicator;

- the right to sue;
- the role of a warranty provider in dispute resolution;
- flexible and accessible process;
- the costs of the adjudication;
- onus of proof;
- the use of experts; and
- self-represented litigants.

I would like to touch on some of these recommendations before continuing.

Access to justice, whether it comes in the form of court action, administrative tribunals or some form of alternative dispute resolution, relies on some key principles, among which are clear rules, clear standards of evidence, and affordability.

For many homeowners, the current state of affairs made appeals against warranty decisions prohibitively expensive, and therefore potentially deterred legitimate claims from proceeding to a rightful appeal.

Justice Cunningham pointed out that consumers today face a significant burden of costs associated with pursuing a warranty claim through the process, including at the Licence Appeal Tribunal.

Firstly, navigating the system with any degree of certainty requires specialized knowledge and necessitates the hiring of skilled legal counsel. My office often welcomes constituents who are in need of guidance for appeals. Most often, these issues involve social assistance decisions and rental disputes. In all of these cases, we seek to direct the constituent to legal resources to ensure they have the best shot at presenting their case. In many instances, the combination of the constituent's complaint and their income makes them eligible to receive legal aid.

For many new homeowners, this is not an option. Legal costs begin adding up, putting additional pressure on a family budget already strained by a mortgage and the other costs associated with the defect in question.

Many consumers are forced by circumstances to self-represent and have to overcome an additional challenge of well-represented opposition in the face of Tarion and the builders themselves.

0920

Justice Cunningham was clear: The proceedings must be solely between the consumer and the warranty authority that would pay out the claim. We are pleased to see that the government has taken this recommendation on board fully by specifying in the new act that the parties to a hearing before the tribunal are the consumer and the authority alone. The recommendations related to self-represented consumers can help make the process easier for them, especially through increased training for tribunal members regarding self-represented applicants.

A clearer and more concise statement of the procedures and aims for the tribunal hearing can also help self-represented appellants prepare their presentations and evidence in a way that will deliver their argument effectively and in the appropriate formats. Despite this, the PC caucus and I agree with the review's overall drive to make sure disputes have every opportunity to de-escalate before they end up before a tribunal. To this end, the rec-

ommendations include a mandatory internal dispute resolution process and access to independent adjudication. Beyond legal costs, other expense considerations deter current consumers from pursuing current claims further.

As Justice Cunningham stated in his report, the current framework does not determine who carries the onus of proof into a warranty dispute. Because of this ambiguity, consumers feel that they must engage professional experts to carry out assessments and investigations on their property to determine a set of facts related to the claim and bring the experts' conclusions to a hearing where they are likely to be contrasted with those of experts hired by the builder or the warranty authority. Aside from duplicating work, this situation also causes an escalation of claims costs to the authority and the consumer, as well as tying up the tribunal's resources.

I am an engineer, and I am very much aware of the cost of specialist engineering and assessment services. When bad construction is an issue, it shouldn't be a matter of pitting one expert's opinion against the other. Justice Cunningham understood this well and did recommend that an adjudicator could hire an expert to assess the situation and deliver an objective statement of facts.

Bill 166 takes a small step towards making the warranty claim process easier for consumers, but falls short of implementing the full guarantees envisioned by Justice Cunningham. The consumer is now only required to show the symptoms of a defect rather than proving its cause in order to make a claim. This makes the process of initiating a claim easier, and it is bound to help many consumers who might discover a defect only a short time before the expiry of the prescribed warranty period.

As an example, a two-year warranty period covers defects that may result in water penetration into the building, whether through foundations, the walls or windows. By clarifying that the consumer need only to prove the symptom of the problem rather than the cause, Bill 166 will make it possible for somebody to initiate a claim the moment they see water damage without having to hire somebody to investigate the problem to determine if the water indeed came from the windows rather than through a bad roofing job.

These changes are also inserted into Tarion's existing enabling legislation, but only upon proclamation rather than royal assent, meaning only consumers who haven't had their claims decided on by Tarion will benefit from the new provisions. This doesn't help many categories of consumers. First, it offers no help to those consumers whose claims have already been dismissed and who, for one reason or another, including high legal and expertise costs, could not pursue a potentially legitimate claim further at a tribunal. We can understand the lack of recourse for someone who has already lost at a tribunal: what has been judged is final. This is an essential part of the separation between our power and that of the judiciary. There should be still a legitimate debate as to how we can better protect those consumers who have not yet taken the appeal step or who may be facing the prospect of making a claim regarding their new home.

Secondly, it provides no guarantee to today's new home buyers as to when the new, simpler and more manageable burden of proof will take effect. For all they know, they could buy a home today, and by the time they have to file their two-year claim—or even their seven-year one—the new standard of evidence may not have been proclaimed and they would face the same hurdles as many consumers who have come forward during the Cunningham review to voice their dissatisfaction.

Enacting this bill in its current form also risks creating a particularly unpleasant incentive for Tarion. The section that amends the Ontario New Home Warranties Plan Act states that only claims that have not yet been decided on by the Tarion Warranty Corp. at the time of the proclamation are eligible to be considered under the new burden of proof. Consumers who are either currently or soon to be embroiled in the first stages of a claim should be able to count on this Legislature to see that justice and fairness are enforced and seen to be enforced. Their confidence in the legislation and the procedures underpinning Tarion as it exists today are borne in part from a perception that the deck is stacked against the consumer. However much confidence we may have in Tarion, we should consider providing consumers with a clear indication of our intent to reform the current claim system and do better by consumers through a clause that would make consumers eligible for consideration under the new regime for claims under consideration or filed after the day the bill was introduced. This is not an unreasonable proposition.

The original version of the Cunningham report was received by this government in December 2016, over 10 months ago. In the time since, the government would have worked with key stakeholders and with Tarion, in conjunction with the additional working group they convened, to hammer out the details of how the report's recommendations would have been implemented. The changes to the burden of proof provisions should therefore come as no surprise to Tarion. Making the burden of proof reform retroactive to the day of the bill's introduction would be the least we can do, as legislators, to cement in consumers' minds the confidence that we are committed to changing the new home warranty disputes.

Consumers are, unfortunately, right to be skeptical of the government's commitment to following through on a comprehensive and detailed review such as Justice Cunningham's. As just one example, since the early 2000s experts in the health sector have called for a minimum legislated standard of care, yet the government hasn't committed to one yet. Ontarians who wished to see changes in how beer, wine and spirits were sold in Ontario have been waiting for years, since 2005, when a reputable report to then-Minister Greg Sorbara recommended sweeping changes to the LCBO.

With this report, matters were even more complicated. Justice Cunningham's original scheduled report release date of June 2016 had to be pushed back as a result of the multitude of issues brought to light by consumers and stakeholders who had plenty of experience and know-

ledge to share. This turned out to be a much deeper investigation than was originally envisioned by the government.

The then-minister's remarks certainly prove that the government expected a fairly smooth ride through the review process. In the Toronto Star article on the initiation of the Tarion review, Minister Oraziotti was quoted as saying that he expected the review to endorse the status quo and to find Tarion an effective consumer protector. He would not have used those words unless he had either been briefed so, or held a genuine belief to that effect. In both cases, Justice Cunningham's feedback during his work on the review would have likely come as a shock and shown consumers that the government had an unexpected reform on its agenda.

The delegated authority model was created for the purpose of industry-led self-regulation in those sectors where public safety and confidence needed to be preserved but direct government intervention would have been cumbersome. This is the vein in which the Technical Standards and Safety Authority, the Electrical Safety Authority, the Travel Industry Council of Ontario, the Real Estate Council of Ontario, Tarion and other agencies should operate. This model was not, however, designed to exist outside of government oversight or leadership, yet this is precisely what the present government has allowed to happen. When consumers and the opposition brought significant issues with agencies such as the TSSA to the government's attention, the usual response was that the authority in question was an arm's-length corporation. The absence of share capital and a more informal board appointment process made these authorities exempt from oversight by legislative committees. Limits in existing independent officers' enabling legislation contributed to creating the perception and, in some cases, a culture of opaqueness that does not belong in an agency tasked with administering an Ontario piece of legislation, collecting mandatory membership fees, issuing licences, inspecting licence holders and meting out punishment.

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I commend the present minister for admitting that Tarion has strayed too far from government, and vowing to bring more control over the corporation's regulation-making power. Bill 166 implements direct ministerial control over the vast portion of Tarion's regulation-making ability, ensuring that the government of the day bears the responsibility for public policy passed by the corporation. This should be the first step towards a broader reform of the delegated authority model.

I have called for such a reform for a long time and have a bill on the table to open up such authorities to several trusted oversight bodies and public information tools. For instance, the current government's approach to creating new agencies includes Auditor General oversight. This may be a positive development, however, it fails to address the complete lack of such oversight at existing authorities.

The Ontario Ombudsman is not allowed near any delegated authority, and the furthest concession this govern-

ment has made in that regard is the mandatory appointment of an internal ombudsperson in the new warranty authority. It is, again, a very small step in the right direction, but not nearly enough.

Licensees who can see their livelihoods threatened if they do not comply with the authority's every command cannot as much as demand to see the authority's top salaries. The most recently created authorities in the condominium sector, in home inspections, as well as those envisioned by Bill 166, only require that the agencies disclose salaries in accordance with a ministerial regulation rather than the more comprehensive sunshine list.

Isn't it time we stopped taking half-steps when we have the tools and the knowledge to implement reform on a much larger scale, setting ourselves and our institutions up for the next decades rather than catching up to what consumers and businesses have been expecting for just as long?

The government is no stranger to taking dramatic and sudden action in the wake of public concern or outrage. In the time I have been here, I have been witness to the government's rushed changes to cool-off periods for water heater contracts, only to see the status quo restored quietly a few years later. When the public demanded their loyalty points stay with them forever, the government stepped in with a rushed piece of legislation that caught all stakeholders by surprise.

"Consultation" is a word this government often uses, but its meaning changes depending on the prevailing political wind. On one end, the government pays lip service to the concept by hosting pre-budget consultations and having the committee travel the province, yet writes and releases the budget before the committee has even finished hearing people's feedback and drafting its summary of the hearings. On other occasions, the government outsources its consultative duty to outside agencies and relies on advice that is often drawn from very unrepresentative samples. For instance, the government prepared a major alteration on payday lending regulation in Ontario following discussions in focus groups consisting of less than 20 people in total, drawn entirely from the GTA.

With the Tarion review, this government laid down a fairly solid foundation for a comprehensive and exhaustive examination of how new home warranties and builder regulations are administered in Ontario. They retained the services of a respected and experienced legal professional and, when needed, granted him additional time and scope to pursue his inquiry. When the report was released, it addressed a vast array of consumer gripes with Tarion as well as institutional accountability and conflict-of-interest issues that had not been addressed before. All that was needed now was the political leadership and the wherewithal to take the report, present it to the ministry's legislative drafters and state: "Please make this happen." Alas, this government chose another path, and in doing so impacted the credibility of its commitment to Tarion reform, as well as the confidence Ontarians can have in the broad concept of consultation on major issues affecting our province.

With Justice Cunningham's report in hand, the government convened an 11-member working panel appointed entirely under ministry control and bound by confidentiality agreements. Over the course of the first half of 2017, this working panel met and deliberated how to implement changes to Tarion and home warranties.

If Bill 166 is the result of the working group's deliberations, then they either were not given the justice's report or second-guessed it with gusto. This isn't right, and it sets a bad precedent for the province as a whole. We convene professional and scholarly reviews for the purpose of taking an informed and wise look at how we do things as a government, and seeking advice on how to do them better. When we are told by the reviewer that we need to improve in an area, what kind of mandate do we have to counter this recommendation by saying that everything is fine?

The time-honoured tradition for this government is to compliment the reviewer, take pictures and shelve the report. In other instances, report recommendations have been cherry-picked and implemented piecemeal, as in the case of Bill 89.

By taking ownership of their decision to either not proceed with a recommended course of action or to implement some recommendations over others, governments maintain their role as decision-makers in what they believe to be the public interest and remain accountable to the public and to key stakeholders who may wish to voice their discontent.

In the case of the LCBO report, for instance, it is up to the Minister of Finance to address why something wasn't done.

The outstanding action on a recommended legislated four-hour minimum standard of care in long-term-care homes lies squarely on the desk of the Minister of Health and Long-Term Care.

A member of the public inquiring about the government's failure to implement a competitive and accountable model for new home warranties will find themselves facing a mire where no one seems to wield the final deciding power and everyone carries an undefined fraction of the blame for failing to act. This form of distributed responsibility strikes against the very heart of what it means to be a government and to be in government. Ministers are there to wield the power vested in their office and in their role with responsibility, judgment and integrity. If the Minister of Government and Consumer Services, or her Premier, did not wish to pursue a competitive provision model, they should have come out and said so openly.

What Ontarians saw instead was muddled waters. A public and well-publicized review was submitted for deconstruction and second-guessing to an internally appointed panel that has served no purpose but to shield the present government from criticism. We have come to a point where if this government does not want to take an unpopular decision, it simply generates paper and delays until it can say the decision was made for them.

We all lose from such an approach, first and foremost because important and necessary reforms are not

undertaken and sitting governments aren't held accountable for their failure to act. Secondly, public confidence in the value of the feedback they provide to their own government can and will be shaken to such an extent that eventually people may judge the exercise to not be worth investing their time into.

When constituents ask me what the use of a written submission to the finance committee was when the budget was already written, I could not give them a satisfactory answer.

Consumers who have had it with high-cost disputes with Tarion and have had to hire their own experts will be asking where the independent expertise and adjudication that Justice Cunningham wrote about are, and I doubt anyone on the government side of this House will rise and say, "We chose not to have it."

By deferring this decision-making process to others, or using as many talking shops as possible to shield themselves from criticism, this government encourages Ontarians to check out of their own provincial affairs. Owning your own decisions and being accountable for them is a mark of respect for those who took their time and resources to come forward and give their opinion, share their knowledge and illustrate their vision for change. It is one of the most basic duties that this government owes to the electors and residents of this province, who collectively trust us to represent and preserve their interest and their future.

The PC caucus supports splitting the regulator and warranty provider roles of Tarion, and we continue to support Auditor General oversight over new delegated authorities. We furthermore support the government's initiative to enhance the builder directory by prescribing in legislation a set of absolutely mandatory disclosures that the builder regulator must make public regarding its members.

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We have stated many times that principles that are basic, obvious and unlikely to change are best codified in legislation so consumers and stakeholders have a measure of certainty concerning what is expected of them. This bill allows the minister to prescribe more disclosures; however, we are pleased to see mandatory statements concerning complaints against a builder and disciplinary action taken against a builder by the regulator. Consumers have advocated for such changes and such legislative guarantees for years, and we are pleased to finally see them being implemented.

We're also pleased with the prospect of consumers having a lower proof threshold to clear in order to begin filing a claim for compensation under the new home warranty framework. As many advocates have pointed out, the purpose of a warranty, first and foremost, is to protect the consumer against losses. It is therefore not reasonable to expect a consumer to first hire an expert to prove the cause of a water leak into a building when a consumer-oriented agency would take the claim, let its experts assess the causes and, should the consumer disagree, go to appeal. By that same token, auto insurers

don't wait for a determination of fault to begin the claim proceedings.

Bill 166's provisions related to Tarion and home warranties are a small step forward for consumers. The failure to implement a competitive model, or at least lay the legislative groundwork to allow it to happen in the future, is a missed opportunity by this government to bring the province's homeowners to the same level of choice, protection and accountability that homeowners in western provinces have already grown accustomed to.

I would like to add a few words regarding deposit protection, an issue that gained prominence in recent months with the bankruptcy of a large builder. The amounts protected under the deposit protection scheme administered by Tarion are not written into legislation but determined by Tarion through builder bulletins, which then have almost the same force as a regulation issued by the government.

In the real estate market we have today, homebuyers have seen the average price of a home in the GTA and elsewhere skyrocket while they were awaiting the construction of the property they put a down payment on. For those whose properties were built, this deposit protected their right to purchase a future property that would have netted them a profit at the moment it was built and transferred to them. Homeowners who paid deposits to builders who cannot deliver the home instead face the prospect of not being able to afford a home with the prices the market charges at that time.

The bankruptcy of Urbancorp highlighted the low amounts guarantee at the time by Tarion, which did not adequately reflect the deposits required to secure a property in the GTA. The levels have been stuck at \$20,000 for condominium units and \$40,000 for homes since 2003. Considering deposits are about 10% to 20% of a property's value, it becomes clear just how far our property boom has come so rapidly; \$200,000 condominiums and \$400,000 homes are not a reality for many, if not most, homebuyers in the GTA, who instead might have to contend with seven-figure price tags when taxes, fees and interest are factored in. If another Urbancorp happened today, many consumers could find themselves losing a significant portion of their deposit as well as their chance to get on the property ladder.

Since then, Tarion has launched a review of deposit protection, and I expect the issue to be examined and addressed more frequently than once a decade in the future. This isn't a duty that belongs solely to Tarion or the future administrative authorities that will replace it. The government must show leadership on the file when called on to do so. When prices for new homes began to climb, the issue of deposit protection amounts should have been obvious. In the wake of the Urbancorp bankruptcy, the government should have taken the initiative and ordered the review or exercised its power to issue regulations that would have made deposit insurance amounts reflect current home prices, and possibly set a mechanism for reviewing or adjusting these amounts on a regular basis depending on market conditions.

Buying a home is stressful enough. Individuals and families have to contend with finding a home, deciding the bid amount, working with banks for mortgages, paying taxes and fees, and generally begin settling into a brand new environment. When things go wrong that shouldn't, the warranty provider should be there to tell the consumer that they have their back. Many consumers did not believe Tarion was up to that task, and have called for reform. Today's bill takes one small step towards making new home warranties work for consumers, but plenty of work still needs to be done.

I now turn my attention to the part of the bill that concerns real estate brokers. Just like construction, the real estate industry and the professionals who work in it are the canary in the mine of Ontario's economy. For most individuals, the purchase of a home is as much about their current economic situation as it is about their confidence in the future. Buying your first home often involves a mortgage and a commitment to pay a major portion of one's income to a bank. The individual and the bank extending the mortgage must agree that the household income level will be sufficient and stable enough to meet the long-term obligation. When either factor is missing, real estate transactions suffer.

Realtors know this, and they know their communities. It is a competitive industry, and professionals must approach homeowners and prospective buyers proactively every day to ensure that they are known for their professionalism, contacts and willingness to help residents find a home or sell their current property for the best price they can find.

In some circumstances, a realtor may find that their client list includes a buyer and a seller whose interests match and would probably lead to a successful and mutually convenient transaction. Double representation in this case raises a series of questions that both the realtor and the clients must address before proceeding. The buyer's interest rests with purchasing the home at the lowest price point the seller is willing to accept, whereas the converse is true for the seller. The government's changes will limit a realtor's ability to represent multiple clients in a transaction and also raise the penalties that can be levied against those who contravene the code of ethics established for the real estate profession.

Having spoken with industry stakeholders, we are aware that these changes come following a period of consultation with the profession and are broadly accepted. We do not oppose additional disclosure requirements for those realtors who do represent more than one party in a real estate deal. Our main objective should continue to be the expansion of public choice and building consumer confidence in the marketplace that they participate in. By preserving consumers' right to choose their most trusted realtor, even if they represent the other party as well, we recognize the real estate professionals' role as facilitators of mobility and economic activity in our communities.

Bill 166 further addresses changes to the way the travel industry is regulated in Ontario. The Travel Industry Act itself hasn't been revised since 2002, when the

last Progressive Conservative government enacted it. Travel has changed significantly since then, driven by rising incomes, rising Internet and computer use, and increased competition in travel services. When the Travel Industry Act first came into force, only a negligible portion of consumers used the Internet to search for travel options. Today, three quarters or more of travel transactions happen online instead of at retail locations.

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Travel booking websites have proliferated and offer their users a variety of experiences, filters and options. Some integrate flights, accommodation and car rentals to build a custom vacation or offer the consumer a set of pre-arranged options. Some dedicate their services exclusively to one of these categories. Some instead function as aggregators of information given by other websites, allowing the consumer to often choose the cheapest option.

Regulation of such a distributed service provision model is difficult as individual jurisdictions such as Ontario have to contend with a marketplace where an Ontarian might look at a hotel in Mexico through a service headquartered in Spain, paying with a credit card through a payment system operating out of somewhere else.

Faced with higher air travel costs, some Ontarians choose to fly out of airports located on the US side of the border. In our case, in Ogdensburg, they opened their airport, extended it a few years ago, and they have seen their service to Florida increase exponentially, as it's a much cheaper option.

In this context, travel industry regulators in Ontario need to accomplish three main aims: Firstly, they must ensure Ontario businesses provide the highest service quality to their customers and that consumers are shielded as much as possible from the adverse consequences of a provider's bankruptcy. Secondly, they must work with providers headquartered out of Ontario, such as major travel websites, to encourage them to comply with Ontario regulation and disclosure requirements.

It is not rare for consumers shopping online for travel to be presented with one price at the beginning of the transaction, in order to entice them to click through, only to be told that the offer is now no longer available and having the price adjusted upwards. Often, such adjustments happen so inconspicuously that a consumer in a rush might not even notice that the price has spiked until after they press the final pay button.

In other instances, foreign systems tack on additional, previously undisclosed fees to the final ticket or accommodation price. When combined with high-pressure tactics, such as stating only a few seats are left at this supposedly convenient price, the effect on the consumer travel market is a reduction of overall consumer confidence.

The travel industry regulator's third main role is arguably the most important in tackling the impact of such practices on Ontario consumers. The regulator collects fees from its registrants in order to operate, rather than relying on taxpayer funds, and uses a portion of those funds to educate consumers on the guarantees available

to them under Ontario's travel regulation framework and the key issues they need to remember to address before buying and before leaving.

According to surveys conducted during the Travel Industry Act review, just a fraction of consumers purchased travel health insurance prior to departing from Ontario. Constituents who have come by my office asking about OHIP coverage outside the province are often surprised how little coverage they actually have outside our borders. In such situations, we need to ask ourselves first whether we are covered under our employer's plan, our pension plan or our credit card, for how long and for exactly what.

Insurance policies, including travel health ones, can be daunting to read and can be quite complex. This is a massive and varied marketplace catering to individual needs and situations where a one-size-fits-all regulatory approach doesn't work. The best course of action is to create an educated and active consumer population that is not afraid to ask the right questions.

The major changes contemplated in Bill 166 involve the regulation of travel agents and the powers granted to TICO, the regulator, to enforce regulations against those who carry out activities for which registration may be necessary. The PC caucus agrees with these changes, especially as far as they concern the activities of people holding themselves out as travel agents or as people able to arrange travel but lacking the proper guarantees to back up the consumer in the case of trouble.

I need to point out, however, that an approach that paints everything as either black or white, combined with the lack of oversight over TICO, as is the case with other delegated authorities, may lead to some undesirable outcomes in cases where no wrongdoing or misrepresentation takes place.

As an example, I will take a hypothetical, ordinary Ontarian who helps organize a school or church trip somewhere abroad. In doing so, they make the airline bookings for the group members, buy train tickets from a foreign provider, book hotels and reserve museum tickets. Then they collect the money from the participants and hand over the tickets and the booking confirmations. Is such a person considered to be carrying on a business? Are they a travel agent and therefore mandated to register with TICO, or are they just a local community member who knows how to arrange a one-off trip?

The government is legitimately fulfilling its role as a steward of the public interest by creating the tools that are necessary for the regulator to enforce compliance. If there is no price for disobeying the rules, the rewards for doing so will attract the wrong people to the travel business. As TICO gains these new powers to levy administrative penalties and search non-registrant premises, they must keep in mind to exercise them with caution and with judgment.

The Ontario PC caucus has consistently called for a greater scope for Ontarians and Ontario businesses to appeal delegated authority action and will continue doing so.

The last component of Bill 166 repeals the existing Ticket Speculation Act and replaces it with the Ticket

Sales Act. This move was prompted by the scandalous events surrounding the ticket sales at the last event by the Tragically Hip in Kingston, where tickets were sold out almost immediately then reappeared at inflated prices on resale platforms.

Before delving into the Ticket Sales Act further, we should take a look at the rules of supply and demand that govern any kind of sale, including that of event tickets. Arguably, the only commodity that is not finite and has no delivery cost is the air we breathe. There is a set quantity of almost everything else at any given time or there is a cost to bring it to the end user, which means that it has an intrinsic price at which demand and supply would meet, making the market clear.

Event tickets, especially those for popular performances or once-in-a-lifetime events such as the Tragically Hip concert in Kingston are at the far end of the spectrum because the demand from loyal fans far outstrips the venue's capacity. In a perfectly free market, artists would set prices high enough to deter demand in excess of the overall event capacity. This approach would, however, shut out most budget-conscious fans from live concerts altogether. Current ticket sales practices seek to balance these competing needs, sometimes succeeding and sometimes failing.

Reports for some events highlighted that only a fraction, sometimes less than a quarter, of overall tickets were put on sale to the general public while the remainder were distributed among sponsors, promoters and other presale avenues. This is not inherently negative, as it is the means by which, for instance, radio stations and other entertainment stakeholders obtain tickets to give away to listeners.

The secondary resale market, which the Ticket Sales Act seeks to partially bring under control, exists principally to ensure that tickets that haven't been distributed through presales or that are held by consumers no longer able to use them can be assigned to willing spectators. It is not designed for people to make a profit off selling tickets as if they were securities. We buy event tickets because we want to watch a show, not because we hope they will appreciate in value as the event draws nearer.

At face value, then, the government's initiative appears measured and fair. Capping the resale value of a ticket at no more than 150% of the original value removes most of the profit motive from event ticket buying. Economically, this hard cap will likely not deter high ticket resale prices, but instead divert these transactions to unregulated channels. People buy event tickets for resale because they know loyal fans are willing to pay a higher price than that charged at the source. In doing so, they are exploiting an economically inefficient price at the point of public sale for their own benefit, leaving artists and event organizers without the extra profits they could have reaped.

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While this discrepancy between public prices and market prices exists, the opportunity for individuals to sell at higher prices in an unregulated setting will continue to feed the black market.

Bill 166's provisions on ticket-buying software will ban the sale of and use of buying bots in Ontario. This is fine, as long as the user in question is in Ontario. In a global marketplace, where goods, services and money travel along fibre optic cables and the Internet, this kind of limitation is a band-aid solution at best. Whether it is a single user running a bot from abroad or a syndicate buying up tickets without bypassing anti-bot verification, those with a will to profit from the inflating ticket prices will find a way to bypass this legislation.

What is the solution, then? We need a multi-pronged approach on the organizer, the distributor, the primary vendor and the secondary resale platform levels.

Buying bulk and bulk resale for profit leaves traces such as credit card numbers in common; phone numbers in common; bank accounts in common; IP addresses and email addresses; short ticket holding times between purchase and resale; and large purchases for many events, maybe in different venues on the same day. These are all elements of intelligence gathering that can help stamp out bulk buying at the ordinary fan's detriment; however, there is hardly a way for us to codify these strategies into law. It would be akin to fighting a hydra, with every prohibition spawning two ways around it. This is a fight for those who are directly involved in the creation, distribution, sale and resale of tickets to join and participate in concertedly. What they need from us is the assurance that whatever initiative they undertake to protect fans, we will have their backs.

I just wanted, in the last minute, to talk about some of the things that I have seen over the past. I bought tickets to Adele last year. Of course, you're looking for a website, and it went to theaircanadacentre.com website, only to find out that when you're checking out, it's an American price, and there's a large delivery price from Chicago as well as administration. So there's an example where you look at something like theaircanadacentre.com—you think it would be Canadian, but it's not. Those are the types of tricks that happen. So we have to be able to work with consumers to educate them, and make some of the standard consumer options that are there—make sure that people understand them, know where to go and know where they're secure.

The Deputy Speaker (Ms. Soo Wong): Questions and comments?

Mr. Wayne Gates: I'd like to congratulate my colleague who spoke for an hour on this particular bill. It's a big bill; it shouldn't be hard to speak for an hour to it with all the things that are in it.

I'm going to just talk about two things quickly. I'm going to have an hour to talk about Tarion and the mess that's been created over the last number of years on purchasing a home. We've all done it, by the way; we've all bought our first home, and we're all excited—our family is excited; the community is excited—to finally purchase a home, even though the bank really owns it for about 30 or 35 years, but that's a whole other story. But at the end of the day, you're excited. Then you move into your new home, and you have nothing but problems over

a period of time, and it takes all that excitement away. Then you go to Tarion, who is supposed to help you, and they don't help you. They fight you every step of the way to make the claims. I'm going to elaborate on that over the course of my hour.

Today I'm going to talk about tickets, which he raised. When I began my speech earlier this week, I used an example that has been in the media quite a bit: the Tragically Hip farewell tour and the cost of those tickets. As you know, Madam Speaker, the news yesterday of Gord Downie passing broke the hearts of Canadians from coast to coast to coast. I'll continue on that topic when I get a chance later. But I want to avoid the example, because what Gord Downie offered this country since his terrible diagnosis is beyond politics. He offered us hope and unity, and the idea that we could work together for something bigger than ourselves. His music inspired millions, but his social justice work was just as powerful. He taught us that it's never too late to care for our neighbours and to make the world a better place.

Let me close by saying: Thanks, Gord, and to the Tragically Hip and their fans. Though the world is darker today because of his passing, it's brighter tomorrow because he was here.

The Deputy Speaker (Ms. Soo Wong): Questions and comments?

Mr. James J. Bradley: The member dealt with a number of issues which are very important in this bill. I was very pleased to see how comprehensive it is, particularly dealing with Tarion and the travel industry. These are things that affect people on a daily basis, those things you find in a bill such as this.

Ticket speculation he talked about as well. I associate my remarks with the member for Niagara Falls about Gord Downie and the profound effect he had on our nation and how sad our nation is, as a whole, at his passing. We all recall the furor, justifiably so, that surrounded his final tour and the opportunity to get tickets for that, how these bots were able to take the tickets away from everybody else and then resell them at a rate that was outrageous, to say the least.

We believe fans come first. For instance, that's why we're going to change the rules so fans in Ontario have what we would refer to as a real fair shot at getting the tickets they want while making sure ticket prices are affordable and transparent. The member was making reference to that.

We used the input and advice of over 34,000 fans and dozens of entertainment industry representatives to do a lot of proposed changes to Ontario's ticket laws that would make buying tickets fair and more transparent to consumers. People in the Niagara region will know, for instance, the Meridian Centre. Elton John is coming to St. Catharines, which is a very big deal for a community of our size. Elton John tends to go to these kinds of communities. Immediately, it was impossible to get tickets because the bots had bought them up. Using special techniques electronically the bots had purchased all these tickets and then were selling them at outrageous rates.

We think this is very important. It's contained in the bill, which is very comprehensive.

The Deputy Speaker (Ms. Soo Wong): Questions and comments?

Mr. Lorne Coe: I want to commend my colleague from Stormont-Dundas-South Glengarry for speaking so extensively on this particular bill. It's an act to repeal various acts but, in particular, the Ontario New Home Warranties Plan Act, the Real Estate and Business Brokers Act, the Ticket Speculation Act and the Travel Industry Act.

Really, when you step back and look at the bill in its entirety, it's a long overdue reform of home building and new home warranties in Ontario, but one aspect I'm disappointed in is that the bill doesn't implement the most sweeping and meaningful of Justice Cunningham's recommendations, and that's specifically to allow new home warranties to follow a competitive market model. That particular approach has been implemented with success in Alberta, British Columbia and Saskatchewan, so I see that to be an oversight going forward.

Having said that, we're pleased to see that the new authorities will have Auditor General oversight and a mandatory internal ombudsman. Equally pleasing is that provisions easing the onus of proof currently imposed on homeowners will help consumers initiate claims and resolve them in a more cost-effective way than is done today.

I wanted to turn, with the remaining time I have, Speaker, to real estate particularly and indicate that we support the additional disclosure requirements for realtors and brokerages. We welcome that in the spirit of openness and transparency. We all like to see that because stakeholders have pointed out that the changes are being made following consultation with the industry and the government. That's a strong balance when you go to that level of consultation and, overall, I think it helps to improve the thrust of the intent of this particular bill.

The Deputy Speaker (Ms. Soo Wong): Questions and comments?

M^{me} France Gélinas: C'était très intéressant d'écouter le membre de Stormont-Dundas-South Glengarry ce matin nous parler d'un projet de loi qui est quand même très volumineux. On parle de 97 pages. C'est un projet de loi qui modifie ou abroge différentes lois et édicte trois nouvelles lois en ce qui concerne la construction de logements neufs et la vente de billets d'événements. Il a passé au travers du projet de loi dans l'ordre dans lequel il a été écrit et on s'aperçoit que, quand même, ça couvre beaucoup.

Dans un premier temps, il a parlé de la Loi sur l'agrément en matière de construction de logements neufs. Donc, les lois par rapport à la construction des logements neufs vont changer.

Ensuite, c'était sur la protection des propriétaires et des acquéreurs de logements neufs. Mon collègue de Niagara nous a déjà donné un petit avant-goût que les choses ne roulent pas bien en ce moment en Ontario pour les gens qui viennent d'acheter une maison neuve : ils

sont excités, ils sont contents et font face à de multiples obstacles et problèmes. Ça a besoin d'être changé depuis longtemps. Mon collègue nous a donné un avant-goût, mais on va aller plus en profondeur.

La troisième partie du projet de loi, c'est vraiment avec la vente de billets et le trafic des billets de spectacle. À cause de la mort de Gord Downie, on met l'accent sur le spectacle fabuleux que les Tragically Hip nous ont offert l'été dernier, l'été de 2016, et les difficultés que les gens ont eues à avoir des billets. Mais ça arrive tous les jours, dans toutes les grosses salles de spectacle, où les gens ont de la difficulté.

Ensuite, il y a deux autres parties de la loi que je n'ai même pas le temps de—

The Deputy Speaker (Ms. Soo Wong): Thank you. Merci.

M^{me} France Gélinas: Je le remercie.

The Deputy Speaker (Ms. Soo Wong): I return to the member from Stormont–Dundas–South Glengarry to wrap up.

Mr. Jim McDonell: I want to thank the members from Niagara Falls, St. Catharines, Whitby–Oshawa and Nickel Belt for their comments.

I wish the member from Niagara Falls luck with his hour leadoff. It is a long time to speak. But it is a big bill. I kind of chuckled when he talked about people buying their homes and the excitement, because there is a lot of excitement when you buy a home, especially if it's new—and you move in, only to find some major problems.

I know a resident in my community who actually is afraid to bring the problems to light, is arguing with the home warranty—the owner. I think it was a prefab house that they built. There are large leaks in the roof and problems structurally. They moved out, and they're afraid to lose their entire deposit. There is some argument that because it was built off-site a lot of the warranty and building codes—who enforces the building codes in those cases? Really, the argument shouldn't be, who enforces the Ontario building code? It really should come down to protection for the homeowner. We see with existing issues with Tarion, those are not looked after today. So you've got a couple who is afraid to say anything. They may have to try to sell their home. You can see the conflict that is involved when somebody is trying to address a complaint—in this case, a very serious complaint. A new family is trying to look after a long-term mortgage and now has no asset to fall back on the cost.

The member from St. Catharines talked about Elton John. I was at a movie the other night and I saw him; he was an actor in one of the films. It was a surprise role. He still is a very large entertainer.

Of course, who can talk about something today without mentioning Gord Downie and his contribution to the Canadian scene.

Second reading debate deemed adjourned.

The Deputy Speaker (Ms. Soo Wong): Seeing as it's almost 10:15, I will be recessing the House until 10:30.

The House recessed from 1013 to 1030.

INTRODUCTION OF VISITORS

Mr. Michael Harris: I'd like to welcome two fine members of the Grand Valley Construction Association and the Ontario General Contractors Association: Jason Ball, the president of Ball Construction; and Jeff Kienapple is here somewhere as well. Welcome, gentlemen, to the Ontario Legislature.

Hon. Helena Jaczek: Please help me welcome a number of individuals from the Ontario Agencies Supporting Individuals with Special Needs, known as OASIS. We have Ann Kenney, the president of OASIS; Michelle Marshall; Sherry Parsley; Darren Connolly; Monica Zeballos-Quiben; Bob Butella; and Nancy Wallace-Gero.

Mrs. Gila Martow: I just want to welcome to the Legislature today page Max Haim—he's the captain today—and his parents, Karine Benzacar and George Haim, his grandmother Vivian Benzacar, as well as his sister Nicole Haim, who was a page just last year. They are all here and very excited to see him be the captain today.

I also want to welcome from the Ontario General Contractors Association the president, Clive Thurston, and the director of government relations, David Frame, for their advocacy day. Thank you, gentlemen, for coming down.

The Speaker (Hon. Dave Levac): Before we continue, we normally wait until the unanimous consent before we wear any products. So I would remind members not to wear anything that you're not supposed to wear until we get unanimous consent. Thank you.

Member from Essex.

Mr. Taras Natyshak: From the Ontario General Contractors Association, I'd like to welcome Bill Currie, Marc Ferguson, David Kirkland, Chris Kucman, John Marshall, Raymondo Mollica, Chris Moran, Frank Perricone, Paul Raboud, Janis Rees, Bruce Reynolds, Shane Sinclair, Clive Thurston and Al Youmans here today to Queen's Park.

Ms. Ann Hoggarth: I would like to welcome the president and CEO of Matheson Constructors, and a former neighbour of mine, Al Youmans, who is here today with the Ontario General Contractors Association.

Mr. Sam Oosterhoff: I would like to welcome today the students from the University of Toronto Campus Conservatives, as well as their president, Louis Vattrt, who are going to be here today watching question period. Welcome to the Legislature.

Hon. Yasir Naqvi: I also want to introduce members from the Ontario General Contractors Association who are here with us. In particular, please welcome Clive Thurston, David Frame and Paul Raboud to Queen's Park.

The Speaker (Hon. Dave Levac): Member for Haliburton–Kawartha Lakes–Brock.

Ms. Laurie Scott: Speaker, I would like to have unanimous consent to wear the pink scarves or puffs in the Legislature today for the Rethink Breast Cancer group, who are here in the gallery with us today.

The Speaker (Hon. Dave Levac): We have a unanimous consent, which is normally done after introductions, but we'll do that now. Do we have unanimous consent to wear the scarves? Do we agree? Agreed.

Member from Essex.

Mr. Taras Natyshak: I'm really pleased to welcome someone from my riding of Essex, one of the best people I've ever had the chance to meet in my life, especially in this job: Nancy Wallace-Gero, who is the executive director for Community Living Essex County. She's here today with the group from OASIS. I want to welcome her.

Mr. John Fraser: I would like to welcome members of Rethink Breast Cancer to the Legislature. We are joined by a large contingent of patients, survivors and supporters in the west gallery, including Rethink Breast Cancer founder MJ DeCoteau. They're also hosting a reception in room 218 today. I encourage all members to attend.

I also invite my colleagues from all parties to join us for a photo on the main staircase directly following question period.

Mr. Monte McNaughton: I want to welcome Paul Shanahan and his daughter, Chloe, to Queen's Park today. Paul is the second generation in a growing family business from Watford, Ontario, Shanahan Realty, started by his father, Leo, more than two decades ago. Welcome to Queen's Park.

Miss Monique Taylor: It really is a pleasure to welcome the folks from OASIS today to Queen's Park. I was able to meet with Ann Kenney, Michelle Marshall, Darren Connolly and Monica Zeballos-Quiben, and from Community Living Hamilton, Sherry Parsley. Welcome to Queen's Park.

Mr. Bob Delaney: On behalf of the member for Brampton West and page Ryan Shahmohamadi, I'm pleased to welcome to the Legislature this morning Ryan's mother, Rebecca Erkelens; his brother Jamie Shahmohamadi; his aunt Jacqueline Erkelens; and his cousins Geordie and Jared Erkelens. They will be in the public gallery this morning. Please welcome them to Queen's Park.

Mr. Todd Smith: I'd like to welcome a good friend who is the mayor of Stirling-Rawdon, Rodney Cooney, to the Legislature today. He's also the warden of Hastings county.

Also, the mayor of Prince Edward county is visiting us today, Robert Quaiff.

Mr. Lou Rinaldi: I too would like to welcome the Eastern Ontario Wardens' Caucus who are here with us today—we met this morning—chaired by Mayor Robert Quaiff from Prince Edward county. I'd be remiss if I did not mention my own warden and mayor of my own municipality, Mayor Mark Walas.

Ms. Laurie Scott: I'd like to introduce the parents of my page captain, Payton Marsh, Melissa and Jay Marsh; brother Wyatt Marsh, uncle Jim DeGeer, aunt Ann DeGeer and family friend Christine Buonaiuto. They are in the members' gallery this morning. Welcome to Queen's Park.

Mr. Joe Dickson: I'm pleased to announce in the east gallery this morning, ladies and gentlemen, Carion Fenn of the Carion Fenn Foundation in my riding, and Olga Lambert, a Rogers TV producer. Welcome.

Mr. Jim McDonell: This morning we had a great chance to meet and have breakfast with the Eastern Ontario Wardens' Caucus, in particular the warden of SDG, Jim Bancroft, and the CAO, Tim Simpson. I'm very happy to welcome them to Queen's Park.

Mr. Percy Hatfield: Yes, I'd be remiss too if I didn't welcome all of the members of the Eastern Ontario Wardens' Caucus, so welcome again to Queen's Park.

Hon. Dipika Damerla: I'm pleased to welcome Karine Benzacar, a dear friend of mine, who is here with her mother. She's here because her son is a page. Welcome, Karine. It's so good to see you.

Ms. Laurie Scott: On behalf of the member from Parry Sound-Muskoka, I'd like to introduce Phil Puddy and Will Prause, who are with us here in the gallery today.

The Speaker (Hon. Dave Levac): Welcome.

Mr. Percy Hatfield: Yes, a good friend of ours is here visiting, Brian Donlevy. Welcome back to Queen's Park, sir. It's a pleasure to see you. Good health in your recovery.

LEGISLATION IN QUEBEC

MESURE LÉGISLATIVE AU QUÉBEC

The Speaker (Hon. Dave Levac): The government House leader on a point of order.

Hon. Yasir Naqvi: I believe you will find that we have unanimous consent for a member of each caucus to speak for up to five minutes to comment on l'Assemblée nationale du Québec's recently passed legislation, Bill 62.

The Speaker (Hon. Dave Levac): The government House leader is seeking unanimous consent. Do we agree? Agreed.

Premier?

Hon. Kathleen O. Wynne: You have all heard me say that diversity is our greatest strength in Ontario. I believe that; I believe it to be true.

Comprendre, respecter et célébrer nos différences, ce sont les fondements de la société inclusive et harmonieuse que nous chérissons tous. I believe that to my core.

But it is not enough to just say it. We all have to make decisions with that belief in our hearts and in our minds. Sometimes life in a diverse society is uncomfortable, and that is exactly when it is even more important that we work to understand each other.

Religious freedom is part of our identity. Forcing people to show their faces when they ride the bus or banning women from wearing a niqab when they pick up a book from the library will only divide us. Every one of us should be able to live our lives and go about our day and practise what we believe without discrimination and without fear.

1040

This is the kind of action that drives wedges in communities. It is not acceptable to me, and it should not be acceptable to any of us. We have a very close working relationship with Quebec, but on this issue we fundamentally do not agree. This legislation would disproportionately affect women who are sometimes already at the margins and push them into further isolation. These are people that you and I know. They are our neighbours: the grandmother who, if she lived in Quebec, would no longer be able to drop off her granddaughter at a city-run daycare, or a mother who would not be able to bring her children to a hospital to see the doctor. That is not the kind of society that we stand for in Ontario.

Just this morning, I put out a statement inviting Amazon to take a good, long look at Ontario, to take a hard look at us as a place where they might want to bring their business because, at a time when others are becoming more insular, unable or unwilling to attract the world's brightest and best, we are unwavering in our commitment to build a place that the whole world can call home. That's the kind of community, that's the kind of province and that's the kind of world that I believe in.

We have and will continue to grapple with the tough questions that come with diversity. It's not always easy, but that's what makes it important. If we believe that difference is actually our strength then we do the work to understand each other—and not just tolerate each other, but love each other because of our differences. But if we approach those questions with empathy and an open mind, I know that we can get it right. That is what we have done through our history, and that is what we should do going forward.

The Speaker (Hon. Dave Levac): Further responses?

Ms. Lisa MacLeod: On behalf of my leader, Patrick Brown, and the entire Progressive Conservative caucus, we join with the Liberal government in condemning this bill in Quebec. The law brought in by the Liberal government in Quebec has no place in Ontario. Indeed, it has no place in Canada. My leader has often said it doesn't matter who you are, it doesn't matter where you're from, it doesn't matter who you love, it doesn't matter how much you make, and it doesn't matter where you worship; you have a home here, in the province of Ontario, and we respect you. All Canadians have a legal right to their religious beliefs, including in the province of Quebec.

I would be a hypocrite if I stood here in this place today to not support this motion. Speaker, you'll recall there was a time in our history, in this assembly, where we thought about removing the Lord's Prayer. I was a young MPP at the time—it was about 11 years ago—and I fought vigorously for the right to defend the Lord's Prayer in this place. It was a time when my father was dying, and sometimes the only way I was able to get faith was to come in here and have half a minute to reflect.

I was really pleased that we came as an assembly to come together and not remove the Lord's Prayer, but to look around this assembly and understand that there are

people of different faiths, whether that's Jewish or Hindu or Buddhist or others, and we were able to incorporate something that was inclusive, not exclusive. I think that's the Canadian spirit, and that's why I'm proud of this assembly. Whether you wear a cross, a turban, a hijab, a kippah or any other religious symbol, you should never be denied any public service in the province of Ontario or anywhere else in Canada.

The Canada I grew up in—I've always said it—was not diverse at all. I grew up in a small town called New Glasgow, Nova Scotia. But one of the greatest things that I have had to live in my life is to come here—to see the diversity in the city of Ottawa; in the riding I represent, Nepean–Carleton; and here in the most diverse city in the world, Toronto. There is no place for two-tiered citizenship in Canada, and as members of this assembly, we must always stand against that.

I'll leave on this point: The expression of freedom is never strengthened when we try to limit it in others. Therefore, I continue to oppose this bill. I would also ask that our government seek leave to intervene in any charter challenge on the constitutionality of this bill. I think that we must stand against it and stand firmly against it.

The Speaker (Hon. Dave Levac): Further response?

Ms. Peggy Sattler: I rise as women's issues critic for the Ontario NDP on behalf of my caucus and my leader, Andrea Horwath. I want to say at the outset that I am struck by the fact that these events in Quebec are unfolding as we in Ontario are celebrating Women's History Month and Islamic Heritage Month.

As we all know, the Quebec National Assembly has passed Bill 62, legislation that was introduced by the Liberal government there, which bans public workers and anyone receiving public services from wearing the niqab or any face covering—an unprecedented action in Canada.

Many academics and legal scholars across the country have raised concerns that Bill 62 is a fundamental violation of human rights that will be found to be unconstitutional under the Charter of Rights and Freedoms.

Ontario New Democrats agree that we need to be unequivocal about women's rights to autonomy over their own bodies. There is no circumstance in Ontario in which anyone should ever be able to tell a woman what she can or cannot wear, whether high heels at work or a veil on a bus.

Despite the guise of religious neutrality, Quebec's legislation appears to be targeted primarily at Muslim women wearing the niqab or burka. It says that you cannot cover your face when you give or receive public services as a matter of public safety. In fact, this bill has nothing to do with secularism or public safety, which is why it is overwhelmingly not supported by municipalities in Quebec and is likely unenforceable.

The mayor of Montreal says they won't enforce it. Mayors everywhere recognize the importance of diverse, welcoming communities. They are concerned in Quebec about the hate that this law could incite in a province that saw the mass shooting at a mosque of 25 people, six of whom died, earlier this year.

This is a dangerous law that compromises rather than protects public safety. As University of Waterloo political scientist Emmett MacFarlane said today in an editorial, “It is impossible to reconcile this law as anything other than the targeting of a minority group.” He goes on to say that “rights are held by individuals, and where it may be constitutional to force someone to remove a winter scarf or a pair of sunglasses, governments must justify imposing limits on religious freedoms like wearing the niqab.”

For the less than 100 women in Quebec who wear the niqab—in other words, 0.0006% of the population—it is difficult, if not impossible, to imagine how this restriction on their religious freedom or their right to wear religious clothing could be justified on public safety grounds.

We agree with Emmett MacFarlane: The state cannot impose freedom by restricting it.

The Speaker (Hon. Dave Levac): I thank all members for their comments.

REPORT, FINANCIAL ACCOUNTABILITY OFFICER

The Speaker (Hon. Dave Levac): I beg to inform the House that I have laid upon the table a report of the Financial Accountability Office entitled Long-Term Budget Outlook, fall 2017.

ORAL QUESTIONS

GOVERNMENT ACCOUNTABILITY

Mr. Patrick Brown: My question is for the Premier. According to the scathing Auditor General’s report, the Ministry of Energy signed a contract with a retainer of \$500,000 to receive help from a law firm to provide services and to compile emails before providing them to us. At the same time they completed the special report, the ministry has still not provided us with all the emails in terms of the Auditor General’s office. Those emails were requested on May 31, 2017. I can appreciate the frustration of our Auditor General.

1050

Did the Premier authorize or instruct the Minister of Energy to block or delay the release of those emails, or did the minister obstruct the Auditor General on his own decision?

Hon. Kathleen O. Wynne: Minister of Energy.

Hon. Glenn Thibeault: Our government remains committed to being open and transparent, and continues to co-operate with the Office of the Auditor General. For example, the Independent Electricity System Operator has so far provided 1,200 records to the Auditor General; Ontario Power Generation has provided hundreds of records; the Ontario Financing Authority has provided 3,242 records; Treasury Board, thousands of records.

And yesterday, I explained that, as of October 13, the ministry has provided 13,212 records to the Office of the Auditor General.

In this process, and throughout our everyday operations, we’re adhering to all document retention standards. Additionally, the ministry is continuing to release additional information to the Auditor General. In fact, we’ve committed to providing all additional records to the auditor by November 1. The ministry has been regularly providing the Auditor General’s office with additional responsive documents—

The Speaker (Hon. Dave Levac): Thank you. Supplementary?

Mr. Patrick Brown: Back to the Premier: The question was, who ordered the obstruction? Was it the Premier’s office, or was it the Minister of Energy’s own decision?

The minister said that he released 13,000 emails to the Auditor General. However, he still went out and got some high-priced help for this apparent obstruction. In fact, the half-a-million-dollar consulting firm and his office originally identified some two million emails. That means he released less than 1%. That’s actually 0.65% of the identified emails. Here he is bragging to the House, “We released 1% of our emails to the Auditor General.” That’s not good enough. Less than 1%—that’s not transparent; that’s a government that’s engaged in obstruction.

My question is very straightforward to the Premier herself: Will the Premier release the other 99% of the emails and the disclosures to the Auditor General?

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock. The context of the words that are causing a little consternation has to stay very clear. If it goes over the line to an accusation, I’m going to ask the member to stop using that. If he says that he believes that is happening, so be it.

Minister?

Hon. Glenn Thibeault: Again, we had 80 custodians identified, capturing 40 phrases that provided over two million emails. Not all of those emails applied to this actual document and to this request.

Really, when we’re looking at what was being done with the fair hydro plan, it was giving families what they had asked for: real and immediate relief on their electricity bills. That’s what we delivered. We made a policy choice to ensure that we continue to have a clean, reliable and affordable—

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock. It’s difficult for me to ask one side to stop when members of the person getting the answer are heckling over top of the minister giving an answer. It will stop.

Finish, please.

Hon. Glenn Thibeault: As I was saying, we made the policy choice to ensure that we continue to have a clean, reliable and affordable electricity system for ratepayers of today and ratepayers—

The Speaker (Hon. Dave Levac): Thank you.

Mr. John Yakabuski: Affordable?

The Speaker (Hon. Dave Levac): Member from Renfrew, come to order.

Interjection.

The Speaker (Hon. Dave Levac): You can even get warned for doing a gesture, sir.

Final supplementary?

Mr. Patrick Brown: For a third time, directly to the Premier: The half-a-million-dollar consultants have had since May 31 to get these emails to the Auditor General. That's 141 days and counting. I'm sure Peter Faist worked his email magic a lot quicker than that, and it only cost \$10,000.

I agree with the Auditor General. This is an offensive obstruction of the rights of the Auditor General, and every single member of this Legislature. One more day is one too many.

So my question, Mr. Speaker, directly to the Premier—I hope that she will answer this herself, rather than passing the buck. Will she have those emails boxed up and sent over to the Auditor General before another one of her Liberal cronies has a chance to double-delete them? I want that disclosure. The people of Ontario deserve that disclosure. Will she release the other 99% of emails on this very serious matter?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Minister.

Hon. Glenn Thibeault: Talking about days, we know it's been almost 365 days since they said that they would release a plan on what they would do with the electricity sector, and they have done nothing.

Let's look at what we have done: We've lowered electricity bills by 25% for all residential customers, and as many as a half a million small businesses and farms. I know the parties opposite have yet to even present a credible plan.

Families in this province asked for real and immediate relief, and that's what we've delivered. The fair hydro plan is providing that 25% reduction to all residential ratepayers, and guarantees that the costs will not rise beyond the rate of inflation for the next four years.

Electricity rates had risen too much, too fast, as a result of the investments that we made in our electricity system, which had become unreliable, with brownouts and blackouts. The fair hydro plan makes sure, with the investments that we made, that we've made it clean, reliable and affordable.

Mr. James J. Bradley: Patrick Houdini.

The Speaker (Hon. Dave Levac): The chief government whip will come to order.

Interjection.

The Speaker (Hon. Dave Levac): The member from Northumberland—Quinte West knows better.

New question.

GOVERNMENT ACCOUNTABILITY

Mr. Todd Smith: My question this morning is for the Premier. The Premier rode in on a white horse. She

touted her open government. She loudly exclaimed, "Let's do things differently." And then, in their speech from the throne, was "A plan to open up government with increased transparency and more accountability."

Ever since then, they've—

Interjections.

The Speaker (Hon. Dave Levac): Order.

Finish, please.

Mr. Todd Smith: She made all these promises, and ever since then she has respected the independent officers of the Legislature. She has thrown open the books for the independent officers to look at, she has followed the rules and she has respected the law—kidding; she hasn't done any of that. She has actually made up her own rules. She has actually removed oversight from the officers of the Legislature. What happened to this Premier saying she was going to do things differently?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Premier?

Hon. Kathleen O. Wynne: Minister of Energy.

Hon. Glenn Thibeault: I know when my honourable friend rises and talks about all of the great things that our Premier continues to do—he was starting off on the right path, but the only party that is seen as a party that's kidding with the people of Ontario is the party opposite. That party will do one thing and then say another every single week.

They talk about bringing forward a plan on electricity, and then say, "Oh, wait. No, that will come next week. Oh, no, wait. That will come next month." Now it's going to happen on some magical weekend in November. But we know they have no plan. They have no idea what to do to help the people of Ontario.

Just for example, not even when it comes to electricity, let's talk about the minimum wage. At first reading, they voted in favour of helping all low-income people in this province. Then, when it came to voting on the bill yesterday, where were they? Nowhere.

The Speaker (Hon. Dave Levac): Supplementary.

Mr. Todd Smith: It's really a shame that the Premier won't actually answer these questions about her lack of openness and transparency that she promised. We're talking about a brand new \$4-billion scandal here on this so-called fair hydro plan. This is going to cost taxpayers and electricity customers billions of dollars.

1100

It's starting to look like an episode of *The Simpsons* over there. Where are they going to find this \$4 billion? In a case of Duff Beer, or Lisa's saxophone, or Grampa Simpson's drawer? Who's running the show over there? Is it Homer Simpson, or is it Ed Clark?

We have the members of the Eastern Ontario Wardens' Caucus here. They're looking for much-needed infrastructure dollars. How far would this \$4 billion go to answering the needs in our local communities? But it's not going there.

When will the Premier just stand up and admit she has made an enormous mistake on this scheme?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Minister?

Hon. Glenn Thibeault: The fair hydro plan is reducing the bills of everyone in this province by 25%. That's something that we should all be proud of, because we recognize that we spent money on infrastructure, re-building the system—\$70 billion.

I know that the Minister of Infrastructure or even the Minister of Transportation can talk over and over again about all the infrastructure that we're building right across the province. But let me start talking a little bit about the infrastructure:

- \$13.5 billion in the GTHA GO regional express rail, which is going to quadruple the number of weekly trips to 6,000;

- \$5.3 billion in the Eglinton Crosstown LRT;

- \$1 billion in the Ring of Fire;

- tripling the Ontario Community Infrastructure Fund to \$300 million;

- \$1.4 billion in the Hurontario LRT;

- \$1 billion in Ottawa's LRT;

- \$43 million in the Waterloo regional transit hub.

And I haven't even started on northern Ontario—

The Speaker (Hon. Dave Levac): Thank you.

Final supplementary.

Mr. Todd Smith: It's amazing to me that the Premier doesn't want to answer these questions. We're talking about a lack of openness and transparency that she promised here. This scandal is costing us \$4 billion. And they haven't released all of the documents. They haven't released the emails.

In all seriousness, the fact that they haven't released all of the emails, given what happened during the gas plants scandal, is absurd. It's an egregious breach of trust by this government. They stonewalled an FOI, saying no records exist, and now they play the waiting game, trying to outlast the public's right to see the government's backroom dealing.

Speaker, I'll provide the boxes. All they have to do is take those emails and put them in the boxes. As a matter of fact, I still have the boxes from the gas plants scandal; I'll send those boxes over, and they can put the emails in those boxes.

Just turn over the boxes and do the right thing.

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Minister?

Hon. Glenn Thibeault: Let's be clear on one thing: All of the boxes that they have on that side are usually filled with something else, and it's not something that we really want to smell.

The one thing I can talk about here is that we've made sure that we've put 80 custodians, 40 access words—and we have come up with two million documents. Those two million documents were gone through by our law firm, and they identified 145,000 emails. Those 145,000 emails are now being gone through by the Ministry of

Energy, making sure that we can provide to the Auditor General as many emails as possible—and that has been 13,212 by October 13. And do you know what, Mr. Speaker? We're going to make sure that she has all of those documents by November 1.

GOVERNMENT ACCOUNTABILITY

Mr. Peter Tabuns: My question is to the Premier. This week we learned that the Premier and her Liberal government are forcing Ontarians to pay an extra \$4 billion to hide the devastating effect of their \$40-billion hydro borrowing scheme from the public. But that's not the only thing that they're hiding. The Auditor General's report says that based on the email correspondence her office looked at, the Liberals knew what the cost would be, they had other options, they were advised to take those other options, and still they stuck Ontario families with a \$4-billion bill.

Will the Premier tell the people of Ontario: Did she personally green-light this accounting trick, knowing it would cost families \$4 billion on their hydro bills?

Hon. Kathleen O. Wynne: Minister of Energy.

Hon. Glenn Thibeault: I'm very pleased once again to rise and answer questions on this and, of course, to talk about the fair hydro plan, as well.

But let's first talk about the accounting. The government's financial statements are prepared in accordance with the public sector accounting standards and will continue to follow these standards for the transactions resulting from the fair hydro plan in the 2017-18 years and of course in future years. In regard to the rate-regulated accounting—

Mr. John Yakubuski: You had OPG borrow the money. You co-opted a crown corporation.

The Speaker (Hon. Dave Levac): The member from Renfrew–Nipissing–Pembroke, second time. We're moving to warnings. You've had your moment; now it's ours. Finish.

Hon. Glenn Thibeault: So PSAS is silent on and does not prohibit the use of rate-regulated accounting. Many entities in Canada, including OPG, Toronto Hydro, Fortis and Hydro One, use rate-regulated accounting as well. In fact, six of eight other independent system operators across North America use rate-regulated accounting, and I'll get to more in the supplementary.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Peter Tabuns: Well, Speaker, I hope the Premier will get to the supplementary.

The AG's report says that emails show senior government officials were warned of the cost of this plan and were told there were other options. Since the Premier refuses to release the emails that the AG examined in her investigation, can she tell us who were the senior government officials that were warned?

Hon. Glenn Thibeault: Once again, I get to rise and speak about our fair hydro plan. Families in the province asked for real and immediate relief on their electricity bills, and that's what we delivered. The fair hydro plan is

providing an average of 25% to residential ratepayers—that's a cut, Mr. Speaker—and guarantees that electricity rates will not rise beyond the rate of inflation for four years, and as many as a half a million small businesses and farms are also benefiting.

But we all knew, Mr. Speaker, that electricity rates had risen too much, too fast, as a result of the investments that we made—\$70 billion—and so that meant that we were paying off those investments too quickly. The fair hydro plan smooths out the costs of those investments, but over a longer period of time. That means the system improvements are paid for by the people who use the system now and of course will use the system later—and that's fair—because this plan makes sure that we also keep all of these assets on the electricity side with the ratepayer, where they should be.

The Speaker (Hon. Dave Levac): Final supplementary?

Mr. Peter Tabuns: Again to the Premier: The people of Ontario deserve to know who authorized this extra \$4 billion on their hydro bills. Yesterday, I moved a motion to require these emails to be released publicly. The Liberals used their majority to shut down debate on that motion.

The Premier has already set aside \$500,000 for a lawyer to organize these emails for the AG. It should be easy to release them now to the public. Will she?

Hon. Glenn Thibeault: We have provided 13,212 emails to the Auditor General and will make sure all of the emails that apply to this file will be provided to the Auditor General by November 1. We're constantly working with the Auditor General's office and are in constant contact with the office.

But let's take one step back and be very clear. This decision with the fair hydro plan was a policy choice, a choice to ensure that we continue to have a clean, safe, reliable and affordable electricity system for the ratepayers of today and the ratepayers of tomorrow. The fair hydro plan keeps the cost of borrowing within the rate base, not the tax base, because that's the logical and right thing to do. Electricity financing should remain within the electricity system.

While the Auditor General is welcome to her opinion, our plan has been approved by her peers at some of Canada's top accounting firms, like KPMG, E and Y, and Deloitte.

GOVERNMENT ACCOUNTABILITY

Mr. Peter Tabuns: Again to the Premier—hope springs eternal.

One government official said this about the Liberals' determination to make people pay an extra \$4 billion on their hydro bills: "Hopefully they'll come to the conclusion that [the plan] can be financed by the province ... rather than externally, as that would be a lot simpler and cheaper."

Why would the Premier ignore the advice of non-partisan public servants and push ahead with this financial cover-up?

The Speaker (Hon. Dave Levac): The member will withdraw.

Mr. Peter Tabuns: Withdraw.

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The Speaker (Hon. Dave Levac): Premier?

Hon. Kathleen O. Wynne: Minister of Energy.

Hon. Glenn Thibeault: I'm happy to rise and once again talk about the importance of the policy choice that we made, Mr. Speaker. That policy choice was to ensure that we can have that clean, reliable and affordable system that we've talked about. I know that we keep talking about the importance of making sure that we keep electricity costs within the electricity system, and the fair hydro plan does that.

We have always ensured that when OPG builds a new hydroelectric dam, when Bruce Power refurbishes its nuclear plants or when we see Guelph Hydro, for example, or any utility actually invest in their system, the cost of borrowing stays within the electricity system. That's why we brought forward this policy choice: to keep the cost of the electricity system in that sector.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Peter Tabuns: Speaker, to the Premier: I'll just note that her predecessor decided he didn't have to answer to the Legislature either, and that didn't end well.

The AG's report says that senior government officials and staff cautioned against that expensive accounting trick. She said officials noted that the design of their \$40-billion borrowing scheme "will result in higher costs for Ontarians." This was cut and dry. The Liberals were told that if they proceeded with the trick, it would cost people more, and they did it anyway.

Why is the Premier putting her desperate re-election hopes ahead of the needs of Ontario's families?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Minister?

Hon. Glenn Thibeault: From my understanding, the Premier's previous predecessor, when he left—we ended up winning a majority government on this side of the House, because we were the party that brought forward a plan that actually benefited all of the people of Ontario. None of them on that side, Mr. Speaker, had a plan—

Interjections.

The Speaker (Hon. Dave Levac): Finish, please.

Hon. Glenn Thibeault: The opposition parties had no plan then; they have no plan now, Mr. Speaker.

We brought forward a plan that brought immediate relief, a policy choice that we made to continue to ensure that we have a clean, reliable and affordable system of electricity in this province, and that's something that we'll continue to do for the people of Ontario.

The Speaker (Hon. Dave Levac): Final supplementary?

Mr. Peter Tabuns: Again to the Premier: The Premier's \$40-billion hydro borrowing scheme was already going to drive up hydro bills in the long run. To hide the cost she, or someone in her cabinet, authorized a \$4-billion accounting trick and added it onto people's hydro

bills. The AG says the Liberals were warned about this. They were given other options and they simply ignored the advice from civil servants and went ahead anyway.

The Premier won't tell us who greenlit this massive betrayal of the public trust. She refuses to release emails that show who in her party knew what and when. How many more desperate abuses of power does this Premier plan before the next election?

Hon. Glenn Thibeault: That's unequivocally untrue, Mr. Speaker. We have always been open and transparent as a government. We'll continue to co-operate with the Office of the Auditor General.

Of course, Mr. Speaker, let me reiterate something—
Interjections.

The Speaker (Hon. Dave Levac): Finish, please, Minister.

Hon. Glenn Thibeault: Like I started off with, Mr. Speaker, let's talk about what we have done so far: 13,212 emails have been brought in to the Auditor General; 1,200 emails and records from the IESO; hundreds from the OPG; 3,242 from the Ontario Financing Authority; and thousands of records from the Treasury Board. In this process, we have ensured that every day and throughout our operations, we're adhering to all document retention standards.

FISCAL ACCOUNTABILITY

Mr. Victor Fedeli: Good morning, Speaker. My question is for the Minister of Finance. This morning, we learned from the Financial Accountability Office that the government's debt reduction claims are \$6.5 billion off the mark. The FAO said that's equal to eliminating funding for 40% of Ontario's hospitals, to put it in perspective. They painted a bleak and stark long-term budget outlook for Ontario.

Meanwhile, the government continues to insist they're on track even though they use the same data the Financial Accountability Office used. The FAO clearly stated, "without an adjustment to Ontario's fiscal policy," we will see increasing budget deficits and higher levels of debt.

The people of Ontario clearly cannot trust anything this government says. Will the minister come clean about their debt claims and tell us what they plan to do to address these new concerns?

Hon. Charles Sousa: I appreciate the question. I appreciate the work done by the FAO in regard to looking long term, in terms of the demographic and challenges that not only Ontario—he makes reference to the fact that all OECD countries everywhere around the world are going to be facing these challenges.

We, too, came out with a long-term report last year recognizing these very issues. The FAO rightly states that we have to take measures and have to address these long-term challenges. It is exactly what it is that we're doing in our budgets today. We are looking long term in terms of the programs we put in place to support health care, to support education. In fact, universal health care that has

been expanded to youth under 25 is part of that. The work that we're doing with pension reform is part of that, both of which that side of the House have actually declined to do.

We need to support these very measures. We need to manage our fiscal house. That's why we're balancing the books this year, next year and the year after that.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Victor Fedeli: Back to the minister: The FAO confirmed again this morning that their so-called balance is all with the one-time asset sales and other one-time revenues. But here's why what the Financial Accountability Office said today matters to families: The FAO says not meeting the debt targets means there will be "less fiscal room for spending on government priorities, such as health and education." The FAO also said that Ontario is less able to respond to unforeseen events, such as the next recession.

Interjection.

The Speaker (Hon. Dave Levac): The chief government whip is warned.

Mr. Victor Fedeli: Perhaps worst of all, the FAO says continuing on this course will unfairly shift the fiscal burden from baby boomers to younger Ontarians.

This week, two independent officers of the Legislature have disputed the Liberals' numbers. How can families ever trust anything this government says again?

Hon. Charles Sousa: We came into office recognizing that the recession had hit us hard, recognizing that the Conservative government federally doubled their debt, had almost the highest deficit in Canada's history under their watch, and we on this side of the House also recognize those challenges. It is why we stimulated growth, invested heavily in infrastructure to build our economy and support the people of Ontario.

Today, we're outpacing Canada and the G7 countries. Today, we have the lowest unemployment in 17 years. Today, 730,000 net new jobs have come to the province. Today, we are continuing to invest long term to address the very challenges that the FAO has rightly cited, ones that we accept and we are taking every step to manage going forward.

We are balancing. We're balancing the books this year. We're balancing the books next year and the year after that, and those members have voted against those measures.

Interjections.

The Speaker (Hon. Dave Levac): Just a little reminder: We're in warnings.

New question.

AIR QUALITY

Mr. Peter Tabuns: Again to the Premier: Today, an application was filed with the Environmental Commissioner calling for an investigation into alleged violations of the Environmental Protection Act. The applicants allege that on February 23 of this year, a malfunction at a petroleum refinery in Chemical Valley resulted in massive flaring that continued for 10 days. During this

incident, residents in Aamjiwnaang and south Sarnia were unable to get any response from the ministry about what was going on and whether they were in any danger. Will the Premier investigate this serious incident?

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Hon. Kathleen O. Wynne: Minister of the Environment and Climate Change.

Hon. Chris Ballard: Thank you to the member opposite for raising what is a very troubling question, and that relates to the quality of air that folks in Sarnia and First Nations breathe but, more importantly, to what and how they're communicated with.

I was down in Aamjiwnaang and Walpole Island not too long ago. One of the things we heard consistently was the need to improve the reporting.

Air sampling is done. My ministry has 11 different stations there. The First Nations have 15 stations in Aamjiwnaang. Industry has a number of monitoring stations. The town is involved with that, and the city of Sarnia is also involved with that.

One of the things we heard was a need to better coordinate that information. I've instructed my officials to look into how we can do that.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Peter Tabuns: Again to the Premier: According to the application, "Residents of Aamjiwnaang and south Sarnia experienced foul odour, significant vibration of houses, rattling of windows, and loud noise from the flare." It must have been terrifying.

The application also alleges that this incident caused a fire at the facility and at another petrochemical facility next door.

Despite the fire, the facility did not follow protocol and make a CVECO code 9 call to notify local fire authorities. And despite receiving complaints about the incident, the ministry did not conduct air monitoring during the incident. Residents don't know what toxins were emitted.

Again, will the Premier order an investigation and get these families the answers they deserve?

Hon. Chris Ballard: Thank you for the follow-up. I can assure the member opposite that there are 11 ministry monitoring stations that are real-time. They operate 24/7, and officials and experts can very quickly find out what's going on.

But the question is around this incident, and I will make some inquiries in my ministry about this specific one so that we can follow up.

But let me talk about what has happened in Aamjiwnaang and Sarnia itself over the past few years. Let's talk about some of the positive things that are happening—

Interjection.

Hon. Chris Ballard: I'm sure the member who represents Lambton-Sarnia would be happy to agree. Sulphur dioxide levels are down by 64%, nitrogen dioxide down by 23%, and particulate matter down by 43%. We're taking action.

RELATIONS AVEC LES AUTOCHTONES INDIGENOUS RELATIONS

M. Shafiq Qadri: Ma question est pour le ministre des Relations avec les Autochtones et de la Réconciliation, the Honourable David Zimmer.

La réconciliation est une priorité pour notre gouvernement, and we are committed to building a society where future generations can live in peace and harmony on lands that we share across this country.

Mr. Speaker, with your permission, I'd just like to commend Premier Wynne parenthetically here, and indeed all members of the Legislature, for their affirmation of social justice and equity across Canada given the latest example of Trumpism in the province of Quebec.

I was pleased to hear this week that the minister spoke at the opening of the medicine garden on land donated by Manulife right in the heart of Toronto at 200 Bloor Street East. This garden is especially significant as it is the first urban garden created through collaboration with the private sector, rather than by indigenous organizations themselves.

My question is this: Can the minister please tell us more about this garden and its significance for reconciliation in Canada?

Hon. David Zimmer: I thank the member for Etobicoke North for that question.

In his speech at the release of the Truth and Reconciliation report, Justice Murray Sinclair, now Senator Sinclair, said, "Reconciliation is not an aboriginal problem—it is a Canadian problem. It involves all of us."

Speaker, our government knows this to be true, and that's why we are committed to working towards reconciliation and supporting indigenous cultural revitalization together with our indigenous partners, the private sector, and indeed, all Ontarians. We know that we, as a government, cannot do it alone.

That's why I want to thank Manulife for working with us on this project. It is an example of corporate responsibility, in the best sense of the word. By hosting this garden, Manulife is demonstrating that we all have a role to play in reconciliation—government, the public and the corporate world.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Shafiq Qadri: It is, of course, essential that we all work together towards reconciliation. Through our government's landmark action plan The Journey Together, our government is committing more than \$250 million towards reconciliation over the next three years. It's a shame that the opposition parties voted against the 2017 budget which contained this historic commitment.

Speaker, as Oscar Wilde said, no man can escape his past. I would remind the Leader of the Opposition that while he was a federal MP in the Harper government, he voted against implementing the Kelowna Accord, which would have invested billions in First Nations health and education; he voted for a budget that cut \$172 million promised to indigenous-language protection; and he voted to impose mandatory minimums that disproportionately affect indigenous peoples.

Would the minister tell us more about our government's approach to reconciliation?

Hon. David Zimmer: Speaker, instead of voting against landmark investments in First Nations health and education, we are making those investments. We are committed to closing gaps and removing barriers. We've committed \$150 million through The Journey Together alone to improve indigenous health and education.

Instead of cutting funding to indigenous-language projects, we are investing \$30 million over the next three years to support the revitalization of indigenous culture and languages.

Instead of voting for mandatory minimum sentences, some of which the Supreme Court of Canada has ruled as cruel and unusual punishment, we have committed \$45 million to projects that will make our justice system truly culturally relevant and appropriate. That includes restorative justice programs and indigenous-specific victim services.

Mr. Speaker, through meaningful actions such as these, our government will continue to build trusting, respectful and mutually beneficial relationships with our indigenous partners.

CANCER TREATMENT

Ms. Laurie Scott: My question is for the Premier. While cancer research continues to develop new and innovative treatments, the cost of these treatments continues to rise. The result is that effective breast cancer treatments remain stalled in a price negotiation with pharmaceutical companies. The existing drug approval process simply lacks transparency, accountability and deadlines. As a result, it's taking too much time for metastatic breast cancer patients to access new treatments.

Ontario is one of Canada's lead negotiators at the pan-Canadian Pharmaceutical Alliance and the chair of the Canadian Association of Provincial Cancer Agencies. So my question to the Premier is: Will the Ontario government take the lead and call for transparency, accountability and deadlines in this drug negotiation process?

Hon. Kathleen O. Wynne: I thank the member for the question.

To all of the advocates who are here today, thank you so much for what you do. It's very important that we have that interaction between people who are in the community on the front line and government.

Mr. Speaker, we are taking a leadership role. The Minister of Health, today actually, is at a federal-provincial table meeting with his counterpart ministers across the country and with the federal Minister of Health.

We will continue to work to make sure that we make progress on this pan-Canadian enterprise, because that is the leverage that we have—to work with all of our provinces and work with the federal government to make sure that we get the best outcomes for people who are struggling with this disease.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Laurie Scott: Mr. Speaker, our province does need to take the lead and address the issues with the interprovincial government body.

In similar jurisdictions, as the Minister of Health knows, these bodies are more transparent and have timely benchmarks in the negotiation process. If the price of a drug is too high or it doesn't meet certain conditions, the players at the table know what needs to change and they can get back to negotiating.

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Unfortunately, Ontario cancer patients, like the ladies with us in the gallery today, are often left waiting in the dark for a year, or even more. Many patients don't even live long enough to be able to get the treatments they need and deserve. That's simply not acceptable, Mr. Speaker.

Again to the Premier: Will the government take the lead quickly and help fix this process so that patients can get access to life-saving treatments before it's too late?

Hon. Kathleen O. Wynne: Again, I will say to the member opposite and to the advocates who have joined us today, Mr. Speaker, that the whole point of us being involved in the pan-Canadian discussion of those negotiations is exactly what the member opposite is talking about: to make sure that those life-saving drugs are available to patients in a timely way, that they have the information they need and that they are affordable, because the question of sustainability is extremely important.

In fact, the Canadian Association of Provincial Cancer Agencies represents our provincial agencies which have been asked by the minister to tackle the tough issues of sustainability. The whole point, as I say, Mr. Speaker, of us being involved is to make sure that those medications are available, to make sure that we continue to have among the best outcomes in the world on cancer recovery and treatment.

We will continue to play a leadership role. Again, I appreciate all of the support and the work that happens here and outside of government.

ENVIRONMENTAL PROTECTION

Mr. Wayne Gates: My question is to the Premier. On July 2, I sent this government a letter asking them to investigate the concerns of the dumping of raw sewage into the Niagara River. It took this government almost one full month and another letter to even reply. When the Minister of the Environment finally replied, he simply told me this was an American issue.

Since that time, raw sewage has been dumped again into the Niagara River a number of times. Mr. Speaker, there is no stop sign or fence in the middle of the Niagara River. It connects the US to Ontario. It is a shared natural resource. Residents want to know if damage was done to our river and how to stop these deliberate spills from occurring.

When can the residents expect the Premier to take this issue seriously, stand up for our environment and investigate these spills?

Hon. Kathleen O. Wynne: I appreciate the question. I know the Minister of the Environment and Climate Change is also going to want to speak to it in the supplementary.

But I want to just let the member opposite know that, in fact, this weekend—I will be leaving tomorrow for Windsor—I am co-chairing with Governor Rick Snyder of Michigan the Great Lakes Governors' and Premiers' meeting. We will be talking about a variety of issues concerning the Great Lakes and the Great Lakes watershed.

It is of primary importance to me that we work on things like invasive species, pollution issues and the algal blooms in Lake Erie. Those are all issues where there has been some progress, but there is much more we have to do. At this moment, I would say more than at other points in our history, it's important that we make it clear to our partners in the United States that we are working with them and we will continue to partner as we fight the environmental causes that are—

The Speaker (Hon. Dave Levac): Thank you. Supplementary?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Supplementary.

Mr. Wayne Gates: Again to the Premier: The governor of New York acted on this issue right away. The DEC found that the sewage contaminated the water in the Niagara River. In fact, more than five of these sewage spills have occurred since I first wrote to the Liberal government.

Yesterday, the New York water board said they were sorry about the spills, but without necessary infrastructure improvements, after every heavy rain, this could continue for five years. We want to know what this is doing to the quality of our water in Ontario and how it will affect our environment.

When can the residents expect the Premier to show the same level of concern as the people of Niagara, and when will she send someone to Niagara to test the water?

Hon. Kathleen O. Wynne: Minister of the Environment and Climate Change.

Hon. Chris Ballard: Thank you for a very interesting question, because the water is being tested; I will say that, to begin with. But what I will say is that, the last time I checked, Niagara Falls, New York, is in New York, which is the United States, which is not yet, anyway, a part of Ontario. What we have been doing from day one, Speaker, is working closely with our counterparts in New York state.

Interjections.

The Speaker (Hon. Dave Levac): Finish, please.

Hon. Chris Ballard: I will say, Speaker, that we've been in touch with our federal counterparts, Environment and Climate Change Canada. They have assured us that they are on top of this as well. They've conducted monitoring and not noted any impact to the environment. We'll stay on top of it.

LOCAL GOVERNMENT WEEK

Ms. Ann Hoggarth: My question is for the Minister of Education. Ontario has a rich history of strong civic representation at the local level. I know that we all appreciate the service of our locally elected representatives within the 444 municipalities across Ontario, including mayors, municipal councillors, reeves and school board trustees.

As an educator, I know that our curriculum is teaching our students about local government in schools and the important roles that school board trustees have to play in their education.

Mr. Speaker, through you to the minister: Can you please tell us what students are doing to celebrate Local Government Week and how they are being supported at the local level?

Hon. Mitzie Hunter: I'm very proud to rise in this Legislature. I want to thank the member from Barrie for this very timely question because, yes, this is Local Government Week. As we speak, students in grades 5 to 10 are having a number of opportunities to learn about the importance of local governance and its role in our communities. Our students are doing great work on this area and they're doing great things this week, from touring town halls to holding mock elections at school and really just discussing the value of their local governments.

I'd like to recognize the very important and critical role our locally elected school board trustees, both past and present—like our Premier, in fact—have played in local democracies. It is the oldest form of elected representation in Ontario, starting in 1807. So I want to thank our local elected school boards for all the great work they do on behalf—

The Speaker (Hon. Dave Levac): Thank you. Supplementary?

Ms. Ann Hoggarth: I'd also like to say that it's great to see a class here learning about the Legislature and local government.

Speaker, my question is for the Minister of Municipal Affairs. It's Local Government Week in Ontario, and young people in grades 5 to 10 are learning about how local governments support our communities. They're learning about the incredible work of our firefighters and police officers, city councillors, school board trustees and local health care workers. These are the people who work every day to make our communities a better place.

As an educator, I can tell you that Local Government Week is a springboard for students and can help plant the seeds for future public service. These students are our future mayors, librarians, trustees, and the way we work with our municipal partners provides both an example to them and the foundation for their future success.

Would the minister please speak about the importance of our relationship with local governments here at Queen's Park?

Hon. Mitzie Hunter: Minister of Municipal Affairs.

Hon. Bill Mauro: I'd like to thank the member for the question. Given that it's Local Government Week, we'd

like to recognize the efforts of thousands of people in the cities and towns we call home. Each and every day, in 444 municipalities across Ontario, our municipal leaders work hard to make their communities a great place to raise a family.

My career in politics started at the municipal level. Representing my community was a great honour, but at the time there was a clear lack of respect for municipalities by the provincial government of the day. Nothing highlighted that more than the big download and forced amalgamations. Since coming to government in 2003, we've worked hard to bring respect back to the partnership with municipalities.

Our year-over-year for municipalities will be \$4.2 billion in 2018, a fourfold increase from the previous government.

We're making the largest infrastructure investment in Ontario's history, more than \$190 billion over 13 years, which started in 2014-15. And through Bill 139, we're proposing to overhaul the OMB.

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I encourage all of you to tweet your support for local government this week to—

The Speaker (Hon. Dave Levac): Thank you.
New question.

SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

Mr. Randy Pettapiece: My question is for the Minister of Community and Social Services. OASIS, the Ontario Agencies Supporting Individuals with Special Needs, is here today. They do fantastic work supporting and advocating for people with developmental disabilities.

It hasn't been easy. The developmental services sector is in crisis. OASIS tells me there are more than 20,000 families stuck on waiting lists. That's outrageous; it's totally unacceptable. Community agencies want to help, but this government has been nickel-and-diming them for years. To help address pay equity obligations, for instance, this government keeps passing the buck.

People with developmental disabilities deserve better. Why have they been so low for so long on this government's priority list?

Hon. Helena Jaczek: I also would like to welcome the individuals here from OASIS to the Legislature this morning. I'm sure we're going to have some further dialogue.

Certainly, I take great issue with the premise of the member opposite's question. This government is totally dedicated to the care of those with developmental disabilities. Since taking office, we have more than doubled the funding for this particular sector. It's now at \$2.3 billion.

When I first became minister in 2014, our government committed to \$810 million over three years. This has enhanced the services, both on the day program side and on the residential side, for vulnerable individuals.

We recognize that there's more to do. In fact in this year's budget, a budget that the opposition voted against, we committed a further \$677 million over four years.

The Speaker (Hon. Dave Levac): Supplementary.

Mr. Randy Pettapiece: OASIS and the people they serve deserve better than stale talking points. They need action. OASIS tells me that in Perth-Wellington alone, there are some 710 requests for community agency services.

Just this week, I brought the minister's attention to Emily and Gregory Jones. They are both autistic and non-verbal. For two years, Emily has been stuck on the Passport waiting list; Greg for one year. The Forte family has been stuck on the waiting list for two and a half years, with no end in sight; and, for others, like McKenzie Hinz, who do receive funding, it's not enough to meet their needs.

I have met with these families. The system is badly broken and I think the minister understands that. And so I ask, on behalf of the Jones, Forte and Hinz families, and many others, when will the government finally fix it?

Hon. Helena Jaczek: We are certainly aware that there's always more to do. We have, I believe, a very rigorous system of prioritizing individuals for the funding that is available.

We understand that there can be challenging circumstances, and circumstances that can change within families. We're aware of aging parents sometimes unable to care for those individuals with challenging behaviours, with complex medical needs. This is why our developmental services organizations prioritize individuals and allocate funding as is appropriate. We urge all families to continue that dialogue with the developmental services organization and with their case workers, should circumstances change, so we can address their needs as is appropriate.

WORKERS' COMPENSATION

Ms. Cindy Forster: My question is to the Premier. Earlier this year, the Wynne government promised to review the unfairly rejected compensation claims of hundreds of workers, who over the course of five decades worked at General Electric in Peterborough, building everything from our household appliances to diesel engines. While they were doing so, they were exposed to over 3,000 types of toxic fumes and chemicals now known to cause cancer.

The Wynne government promised these families—and I quote the minister—"a smile on their faces and a jingle in their pockets." And yet, months later, they're still scrambling for answers that the minister refuses to provide.

When will this government stop breaking promises and provide the hundreds of grieving families of these workers the support and the compensation benefits that they need?

Hon. Kathleen O. Wynne: Minister of Labour.

Hon. Kevin Daniel Flynn: Thank you to the member for the question. This has been a very, very tough situation for the workers at the GE plant in Peterborough, and it has gone on for far too long. This goes back to the

1950s and 1960s, when these people were exposed to chemicals we know a lot more about today.

Over the years, through multiple governments, their employer, their health clinics, organized labour, the MOL, I'm sure at some point, and the WSIB should have stepped up and helped these people. Simply put, they did not.

What we are doing in a very short period of time is attempting to rectify the situation. These families deserve justice. They haven't had the justice they deserve. We are putting in place, we've just announced from the WSIB, a dedicated review team that is going to do nothing but look at claims that come out of the GE plant in Peterborough. I'm determined to get these people the justice they deserve, and I promise that that will happen.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Cindy Forster: While rejecting hundreds of claims of the very victims who depend on WSIB the most, WSIB continues to give premium cuts to businesses—almost a 10% cut in premiums over the last two years.

These are the widows who lost their husbands to cancer, workers who spent decades under exposed asbestos pipes, and an entire community who continue to relive the horrors every single day because of broken promises. Still their claims are denied. Despite the reports and the medical evidence, the burden of proof on claimants continues to rise.

When will this government stop breaking its promises to the hundreds of cancer victims from GE, fix our systemically flawed WSIB compensation system, and make sure that the families and workers in Peterborough have the compensation and benefits that they need?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Minister?

Hon. Kevin Daniel Flynn: Speaker, the member is right: These workers and their families deserve better, and that is exactly what we're working towards. We don't need any last-minute press releases or last-minute press conferences telling us something we already know: that we need to put a system in place. As I said, we've put in a dedicated review team at the WSIB. That's all they do: They look at claims from GE in an expedited manner, to make sure that these folks get the justice they should have gotten a long time ago.

It's an important step forward. I've met with the families on a regular basis. I understand their argument and I'm trying to do something about their argument.

There's a lot of blame to go around on this one. My intent, in the short term, is to make sure that the people who deserve to get the coverage get the coverage they should. After that, we've got occupational diseases; we're looking into a response team for that as well, to make sure we learn from what happened at GE and make sure that it never happens in the province of Ontario again.

Interjections.

The Speaker (Hon. Dave Levac): The member from Beaches–East York and the member from Kitchener–Waterloo will come to order.

New question.

ECONOMIC DEVELOPMENT

Mr. Arthur Potts: My question is to the Minister of Economic Development and Growth. Speaker, as you know, Amazon recently announced that it has plans to open a second headquarters somewhere in North America, and Amazon is taking bids from interested cities. There has been a lot of buzz all across North America, with jurisdictions from all over saying they want Amazon to locate in their cities and bring the 50,000 jobs the project will create.

Today those bids are due, and Ontario municipalities from Windsor to Sault Ste. Marie have their bids locked in. The Ontario government, I understand, is supporting these municipalities by promoting the province's core values and our clean energy system, while also building up its innovation ecosystem by strengthening the talent pipeline.

Speaker, through you to the minister: Can you please tell us why Amazon should come here to Ontario?

Hon. Brad Duguid: The member is right, Mr. Speaker: We're not offering new incentives to Amazon. Amazon will have access to the existing business supports that are available to all qualified companies, whether they're from Ontario or outside. We're not going to enter the race to buy Amazon; instead, we're appealing to the number one need of tech companies here today in Ontario and around the world, and that's the supply of world-class talent.

Ontario has the most sought-after talent in North America. Our plan is to grow that important pipeline, and we will do this whether we land Amazon or not. Growing this talent pipeline will require significant effort on behalf of all stakeholders in the province of Ontario. This ambitious new initiative will not only serve potential multinational companies, it will also help our scaling companies that are working so hard to go global.

We're very excited about this opportunity, and we're very excited about what this will do for the future of our economy in Ontario.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Arthur Potts: We should all be thanking the minister for the incredible work that he is doing building Ontario up by attracting jobs and investment to Ontario.

We can all be confident that any bid for Amazon's headquarters from an Ontario city will be exceptionally difficult to beat. We know that Ontario is already a leading destination for international businesses because of its talented workforce, its strong public education systems and its commitment to high-quality health care and clean energy systems.

Minister, we also know that we can't be content with these accomplishments. We know that we must be continuously working to expand our supply of well-trained

and highly educated workers if we are to empower Ontario-based businesses to grow into global players while also continuing to attract successful and innovative businesses here.

Speaker, through you to the minister: Can he share with the House what our government is doing to ensure that Ontario will be able to meet the demands for highly skilled workers that 21st-century businesses such as Amazon will need to thrive?

Hon. Brad Duguid: To the Minister of Advanced Education and Skills Development.

Hon. Deborah Matthews: Our competitiveness did not develop overnight; we've been working very hard since we were elected in 2003 to nurture and develop our highly skilled workforce.

One of the biggest steps we've taken is the transformation of OSAP, the biggest transformation of student assistance in North America. Since 2003, the number of students attending our colleges and universities has increased by almost 40%, and this year, more than one third of them will get free tuition and another third will get grants to reduce their tuition costs.

But we cannot rest on our success, and that's why we're doing even more. We announced yesterday that whether or not we're successful with Amazon, we'll be increasing the number of students graduating from STEM fields by 25% over the next five years. That's 10,000 more graduates in science—

The Speaker (Hon. Dave Levac): Thank you.

PRIVATE MEMBERS' PUBLIC BUSINESS

The Speaker (Hon. Dave Levac): I beg to inform the House that, pursuant to standing order 98(c), a change has been made in the order of precedence on the ballot list for private members' public business, such that Ms. Scott assumes ballot item number 11 and Mr. Arnott assumes ballot item number 48.

VISITORS

The Speaker (Hon. Dave Levac): With us today in the Speaker's gallery today, we are honoured that we have a parliamentary delegation from the National Assembly of Croatia led by the assembly president, or Speaker, the Honourable Gordan Jandroković. His delegation is accompanied by the ambassador of Croatia, Her Excellency Marica Matković, and the consul general, Mrs. Andrea Javor. Welcome to Ontario.

Mr. Jim Wilson: Point of order, Mr. Speaker: I would like to welcome Natalie Fell from Meaford. She is the daughter of my superb assistant, Chris Fell. Welcome, Natalie.

Mr. Percy Hatfield: Two guests that I was remiss in introducing earlier: The mayor of Woodstock is here, Trevor Birtch; and also, when we introduced the wardens from eastern Ontario, we missed Lanark county warden Bill Dobson. Welcome to Queen's Park.

Hon. Kathleen O. Wynne: I wanted to just do a shout-out to Brian Donlevy, who is a reporter who, particularly when I carried the portfolio of Minister of Agriculture, barked some very tough questions at me, but he was always fair. Brian's struggling with a serious health concern, and I just want to wish him all the very best of luck.

Mr. Ernie Hardeman: I want to introduce two special guests from Oxford. As the Premier has already introduced Brian, he's also accompanied by his able assistant, Trevor Birtch, who is the mayor of the city of Woodstock. Welcome to Queen's Park, gentlemen.

Hon. Dipika Damerla: I just want to take the opportunity to wish everybody a happy Diwali. It's Diwali today.

Ms. Laurie Scott: I want to introduce in the gallery Brittany Davis, my former OLIP intern, who is now studying law. Welcome back again, Brittany.

Mr. Todd Smith: I'd like to welcome Doug DeRabbie, who is with the Ontario Association of Optometrists, to Queen's Park today.

NOTICE OF DISSATISFACTION

The Speaker (Hon. Dave Levac): One last announcement: Pursuant to standing order 38(a), the member from Welland has given notice of her dissatisfaction with the answer to her question given by the Minister of Labour concerning WSIB claims. This matter will be debated Tuesday at 6 p.m.

There are no deferred votes, so this House stands recessed until 1 p.m. this afternoon.

The House recessed from 1155 to 1300.

INTRODUCTION OF VISITORS

The Speaker (Hon. Dave Levac): Minister of Research, Innovation and Science.

Hon. Reza Moridi: That's correct, Mr. Speaker, and thank you very much. It's a great pleasure to welcome Mr. Amin Ghavami Nejad and Mr. Mohammad Ali Amini, post-doctoral and PhD students in pharmaceutical sciences at the University of Toronto who are visiting the House.

The Speaker (Hon. Dave Levac): Welcome. Good luck.

MEMBERS' STATEMENTS

VICTIM SERVICES

Mr. Todd Smith: Speaker, we have a responsibility to represent at-risk persons in our ridings, and that includes people who are socially or economically disadvantaged and are at risk of becoming victims of human trafficking. For that reason, we must support victim services agencies in Ontario. This government has distributed anti-human-

trafficking support funds, but these funds do not correlate with what's necessary to support victims in my riding.

Victim services of Hastings, Prince Edward, Lennox and Addington offers 24-hour-a-day, short-term crisis support. In the past six months, victim services helped 13 victims of human trafficking leave the sex trade and pursue their education. When victim services applied for the anti-human-trafficking support fund, they were denied "based upon a comprehensive assessment formula." However, they were given \$18,000 by the Attorney General for staffing this year.

These victims require emergency and long-term services, which include intensive care management, housing, food, medical and counselling. This can't be quantified by \$65.38 per victim, which is the current allotment in my riding. On the other hand, victims in Kingston and Frontenac receive \$472.12 per victim.

Why is the funding formula inconsistent? Does the government think victims in my constituency are worth less? My region does not have a human trafficking centre and lacks the resources to place people in group homes. What's the alternative, that we punish the victims of human trafficking by placing them in offender housing? We can do better. We have to do better.

ACCESS TO JUSTICE

Miss Monique Taylor: There is hardly a day that goes by in my office on Hamilton Mountain when I don't hear from a woman who was made to feel absolutely powerless when faced with our court system. These women might be trying to get financial support from the estranged father of their children. They might be caught up in a custody dispute or trying to make their case before a judge when dealing with a children's aid society. The problem, Speaker, is that they're invariably outgunned by highly paid lawyers in the court setting.

In the vast majority of cases, they can't afford a lawyer and they can't get legal aid. Their only option is to represent themselves. Then they find out just what an impossible task that is. Already distraught by their situation, in addition to the stress and the upheaval it has caused, they now have to juggle part-time jobs to be available or to struggle to get their kids looked after.

They've done their homework, but they're terrified of what comes ahead: the intimidating atmosphere of a courtroom, the adversarial nature of the setting and the knowledge that they will be facing people who do this every day of their lives. But they have no choice.

In this situation, what hope is there for justice to be served? Precious little. And it happens in courtrooms all across Ontario every single day. Women and children pay the price, and it has to change.

GORD DOWNIE

Ms. Sophie Kiwala: Last night, hundreds of people gathered in Kingston's market square to say goodbye to a musician and activist whose words and actions have touched millions. Just over a year ago, 25,000 people

gathered in that same square to watch the Tragically Hip's last concert on the big screen. It was a magical night, and one that united Canadians from coast to coast. The sorrow that has accompanied Gord's passing has been equally widespread.

Although he was suffering from terminal brain cancer, he continued to champion the causes he believed in; most significantly, truth and reconciliation. Because of that work, the Assembly of First Nations aptly gave him an honorary name that translates to "man who walks among the stars." He is doing that now.

Earlier this year, we laid a commemorative plaque in Kingston's market square to mark the Tragically Hip's historic concert. The plaque quotes one of their best-loved songs with the lyric, "Everybody was in it, from miles around." And we were, indeed.

Gord had a gift for connecting with people and for making everyone feel like we were a part of something greater than ourselves.

To Gord: If you're looking down upon us right now, we know you will be pulled in a million directions in this very moment. Thank you. Thank you for enchanting the hearts and minds of millions.

Our nation is culturally richer and deeper for Gord's talent, his selfless determination and will to right wrongs and make this world a better place.

Rest in peace.

YOUTH COMMUNITY HUBS

Mr. Lorne Coe: Whitby town council has approved a partnership with the Durham District School Board which establishes a new community hub at Henry Street High School. This hub will serve as a youth room, providing activities for youth in south Whitby.

Currently, there are two other youth rooms in Whitby: the McKinney Centre, near the centre of the town, and the Brooklin Community Centre and Library, near the northern boundary of my riding. These centres are part of Whitby's recreation and leisure services youth strategy and offer several programs, free of charge, to youth aged 12 to 18—programs like cooking classes, studying, physical activities, and arts and crafts.

This new youth room at Henry Street High School is both cost-effective and provides youth in south Whitby with easily accessible extracurricular activities to positively promote their overall development, and an opportunity to succeed.

I extend my congratulations to Whitby town council for their leadership once again in providing this needed hub for youth in our community.

AGRICULTURE INDUSTRY IN ESSEX

Mr. Taras Natyshak: It's harvest season in Essex county and all across Ontario. This is the time of year when many of our constituents are packing up the kids, heading off to local orchards for apple picking or the local pumpkin patch in search of the perfect jack-o'-lantern.

Farms from Maidstone to Ruthven, from Stoney Point to River Canard are busy harvesting and moving crops to market. Autumn marks the culmination of a year's worth of hard work, investment and risk taken by thousands of farm families in Essex county and represents a vital piece of both the economic and cultural underpinning of what I know to be the greatest place on earth to live, work and raise a family.

How important is Essex county agriculture locally and for our province? Well, Essex county farms generate \$1.2 billion in GDP each year. They top southwestern Ontario when it comes to employment, with 18,487 full-time equivalents in the sector. Essex also raises the largest tax revenue for all three levels of government—a total of \$369 million each year—when compared to other sub-regions of the southwest. While these numbers represent the success of more than a century of farming tradition, they also represent an opportunity for the future. The sector is literally growing, and Essex is leading the way.

On behalf of Ontario New Democrats, I want to extend my sincere thanks to all of Ontario's farm families and wish you a safe and successful harvest and that you find the time to celebrate yourselves, your accomplishments, your efforts and your hard work with friends, family and loved ones once this very busy time of year has passed.

INTERNATIONAL MENTAL HEALTH DAY

Mr. Joe Dickson: On October 10, 2017, International Mental Health Day was posted. I had the privilege of attending the first mental health forum in the riding of Ajax-Pickering that day. The event was organized by the Carion Fenn Foundation, in partnership with the Ajax library. They are in the east gallery today. The president of Carion Fenn is Carion Fenn. Of course, it was my pleasure to introduce her this morning, while they are visiting Queen's Park. She is with Rogers TV producer Olga Lambert.

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The forum in Ajax provided an opportunity for open and honest discussion about mental health, with 16 mental health-related organizations in attendance. Additionally, a panel of experts on mental health, including health leaders from Lakeridge Health and Ontario Shores, was present to answer questions, as were some of us elected people—my colleague across the floor and myself.

Our friend Whitby MP Celina Caesar-Chavannes was one of six speakers at the event. I have to tell you, she knows depression first-hand and was courageous enough to go public with her struggles.

Twenty per cent of Canadians will personally experience a mental illness in their lifetime. Mental illness affects people of all ages, education and income levels and cultures, while also impacting their families, friends and neighbours.

A new TV show is about to hit, Health 180 on Rogers TV Durham, hosted by my constituent Carion Fenn. She will provide a climate for people to discuss mental health issues, as well as other issues throughout.

I appreciate the time, Mr. Speaker. My watch is right in line with yours, sir.

The Speaker (Hon. Dave Levac): You're now 10 seconds over.

Further members' statements.

EMPTY BOWLS

Ms. Sylvia Jones: This weekend, there's a great event happening at the Alton Mill Arts Centre: the eighth annual Empty Bowls. Empty Bowls actually began in Michigan in 1990. First, you choose your favourite locally crafted pottery bowl and then you fill it with delicious soup from local restaurants. In the end, the proceeds go to the Orangeville food bank, the Exchange at Caledon Community Services and the Cupboard in Orangeville.

Local potter Ann Randeraad started Empty Bowls in 2010, and it has become a popular, annual event.

Empty Bowls was recognized in 2016 with a tourism partnership award from Headwaters Tourism.

The fundraiser engages artists, restaurants and volunteer servers from across Dufferin-Caledon. Local artists donate the bowls, and local chefs donate their delicious soup.

Empty Bowls is happening this Sunday, October 22, at the Alton Mill and will be supported by Ray's 3rd Generation Bistro Bakery, Lavender Blue Catering, Landman Gardens and Bakery, Gourmandissimo catering and fine foods, and The Friendly Chef Adventures Inc.

I hope to see you in Alton on Sunday to support Empty Bowls.

MUDDY YORK BREWING CO.

Mr. Arthur Potts: I'm delighted to rise today to talk about one of my favourite subject matters: craft beer. Many years ago—almost 40 years ago—I helped establish craft beer rules in Ontario with the Campaign for Real Ale.

Today, I get to rise and celebrate Muddy York Brewing Co., a true local business success story in Beaches-East York—until recently the only craft brewer I had in my riding.

Jeff and Susan Michalek began brewing while Jeff was running his die shop in East York, Skilcraft Steel Rule Dies. In 2013, Jeff began brewing in a three-hectolitre system and selling to local bars and restaurants, such as the Relish, which is on the Danforth near Woodbine. After obtaining a retail licence and a few successful pop-ups, they could sell bottles to the public, and they expanded to 10 hectolitres.

Buying more fermenters over the course of 2015 to 2017, Muddy York has now increased production over 800%. They opened a retail bottle shop full-time. This is

when Susan was able to focus on the brewery on a full-time basis. Susan's background is in design and art. She designs all the labels, artwork, marketing and social media for sales.

Both Jeff and Susan began working in the taproom, which was just set up this year.

I went to the opening just a couple of weeks ago, and it was unbelievably fantastic.

Jeff was able to sell the die shop. In fact, he has taken over the die shop and moved all of the production of beer into what once was a very successful metal-banging shop. He is now 100% in the beer industry, doing 50-hectolitre batches, and now he's starting to sell to the LCBO.

I want to congratulate Jeff and Susan for what they're doing, promoting great craft beer in Ontario, in Beaches—East York. Cheers.

WASTE REDUCTION WEEK

Mr. Ernie Hardeman: This week is Waste Reduction Week. My riding of Oxford is a leader in waste reduction. When I was mayor of South-West Oxford, we created the first mandatory recycling program in Ontario.

In 2015, Oxford county council passed a motion to establish Oxford as a zero-waste community, which includes developing strategies to reduce solid waste generation and divert as much waste from landfills as possible. This issue is particularly important in my riding, where residents are continuing to fight a proposed landfill site in Beachville. If developed, this landfill would pose a threat to the town of Ingersoll's drinking water and to the Thames River.

I've raised concerns about the landfill proposal many times in this Legislature, and I want to continue to push the Minister of Environment and Climate Change to block this proposal.

As part of Waste Reduction Week, I also encourage the minister to look at ways to improve our ability to recycle materials and encourage the reuse of materials to keep them out of landfills for as long as possible.

I also encourage businesses and individuals to look at ways to reduce the amount of waste they create. When we reduce, reuse and recycle, we can help keep our communities clean and healthy, and reduce our dependence on landfill sites.

INTRODUCTION OF BILLS

CHILD ABUSE PREVENTION MONTH ACT, 2017

LOI DE 2017 SUR LE MOIS DE LA PRÉVENTION DES MAUVAIS TRAITEMENTS INFLIGÉS AUX ENFANTS

Mr. Rinaldi moved first reading of the following bill:

Bill 170, An Act to proclaim Child Abuse Prevention Month / Projet de loi 170, Loi proclamant le Mois de la prévention des mauvais traitements infligés aux enfants.

The Speaker (Hon. Dave Levac): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Dave Levac): The member for a short statement.

Mr. Lou Rinaldi: The bill would proclaim the month of October in each year as Child Abuse Prevention Month. We need to remember each and every day that children are our future, and by making October Child Abuse Prevention Month, it will help us to remind people of the importance of preventing child abuse.

I look forward to debating the bill.

PETITIONS

HOSPITAL FUNDING

Mr. Sam Oosterhoff: I have a petition to the Legislative Assembly of Ontario about a very important matter. It says:

"Whereas residents who depend on the vital services provided at West Lincoln Memorial Hospital have raised millions of dollars and fulfilled their part of the commitment to redevelop the hospital;

"Whereas health care officials, doctors, nurses, hospital employees and the community at large are expecting the government of Ontario to honour its promise and commitment to redevelop the West Lincoln Memorial Hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That all members of the Ontario Legislative Assembly fully restore the funding committed to the redevelopment project of the West Lincoln Memorial Hospital in Grimsby, Ontario, which was cancelled in the 2012 budget."

I fully support this petition, I affix my signature to it and I will give it to page Andy.

PHARMACARE

Miss Monique Taylor: I have a fantastic petition that reads as follows:

"Universal Pharmacare for All Ontarians.

"To the Legislative Assembly of Ontario:

"Whereas prescription medications are a part of health care, and people shouldn't have to empty their wallets or rack up credit card bills to get the medicines they need;

"Whereas over 2.2 million Ontarians don't have any prescription drug coverage and one in four Ontarians don't take their medications as prescribed because they cannot afford the cost;

"Whereas taking medications as prescribed can save lives and help people live better;

"Whereas Canada urgently needs universal and comprehensive national pharmacare;

"We, the undersigned, petition the Legislative Assembly of Ontario to support a universal provincial pharmacare plan for all Ontarians."

I couldn't agree with this more, Madam Speaker, and I'm going to give it to page Ryan to bring to the Clerk.

DENTAL CARE

Mrs. Cristina Martins: I have a petition here that is addressed to the Legislative Assembly of Ontario. I want to thank Gabrielle for dropping these off in my office.

"Whereas lack of access to dental care affects overall health and well-being, and poor oral health is linked to diabetes, cardiovascular, respiratory disease, and Alzheimer's disease; and

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"Whereas it is estimated that two to three million people in Ontario have not seen a dentist in the past year, mainly due to the cost of private dental services; and

"Whereas approximately every nine minutes a person in Ontario arrives at a hospital emergency room with a dental problem but can only get painkillers and antibiotics, and this costs the health care system at least \$31 million annually with no treatment of the problem;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to invest in public oral health programs for low-income adults and seniors by:

"—ensuring that plans to reform the health care system include oral health so that vulnerable people in our communities have equitable access to the dental care they need to be healthy;

"—extending public dental programs for low-income children and youth within the next two years to include low-income adults and seniors; and

"—delivering public dental services in a cost-efficient way through publicly funded dental clinics such as public health units, community health centres and aboriginal health access centres to ensure primary oral health services are accessible to vulnerable people in Ontario."

Madam Speaker, I agree with this petition, will affix my name, and send it to the table with page Thomas.

ROAD SAFETY

Mrs. Gila Martow: I have a petition on towing safety and incident management.

"To the Legislative Assembly of Ontario:

"Whereas tow truck operators provide an important service across Ontario's road network; and

"Whereas recent legislation has brought significant change to Ontario's towing industry; and

"Whereas motorists deserve reliable, timely service from their provider of choice across Ontario; and

"Whereas towing operators deserve a safe place to work in urban and rural communities across Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To further recent legislative amendments that ensure the safety of tow truck operators through section 159 of the Highway Traffic Act;

"To protect motorists and towing companies providing important services by addressing issues around highway incident management;

"To support the Transportation Systems Improvement Advisory Committee Act, 2017, which would analyze highway incident management and ultimately enable a comprehensive program for the improvement of highway incident management; and

"To include incident scene management in regulations to address the potential for improper actions on scene."

I, of course, agree with this petition, am pleased to affix my signature and give it to page Payton.

SOINS DE LONGUE DURÉE

M. Taras Natyshak: J'ai une pétition ici au titre « Temps pour les soins ».

« À l'Assemblée législative de l'Ontario :

« Attendu que des soins de qualité pour les » 78 000 « résidents des maisons de SLD est une priorité pour les familles de l'Ontario; et

« Attendu que le gouvernement provincial ne fournit pas un financement adéquat pour assurer un niveau de soins et de personnel dans les foyers de SLD afin de répondre à l'augmentation de l'acuité des résidents et du nombre croissant de résidents ayant des comportements complexes; et

« Attendu que plusieurs enquêtes du coroner de l'Ontario sur les décès dans les maisons de SLD ont recommandé une augmentation des soins pour les résidents et des niveaux du personnel. Les études des normes minimales de soins recommandent 4,1 heures de soins directs par jour;

« Nous, soussignés, pétitionnons l'Assemblée législative de l'Ontario de :

« Modifier la Loi sur les foyers de SLD (2007) pour un minimum de quatre heures par résident par jour, ajusté pour le niveau d'acuité et la répartition des cas. »

J'appuie cette pétition, je vais la signer et l'envoyer avec page Ryan.

ELEVATOR MAINTENANCE

Mr. Lou Rinaldi: I have a petition to the Legislative Assembly of Ontario.

"Whereas we've seen rapid growth of vertical communities across Ontario; and

"Whereas elevators are an important amenity for a resident of a high-rise residential building; and

"Whereas ensuring basic mobility and standards of living for residents remain top priority; and

"Whereas the unreasonable delay of repairs for elevator services across Ontario is a concern for residents of high-rise buildings resulting in constant breakdowns, mechanical failures and 'out of service' notices for unspecified amounts of time;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Urge the Ontario Legislature to support Bill 109, the Reliable Elevators Act, 2017, that requires the repairs of elevators to be completed within a reasonable and prescribed time frame. We urge the Legislature to address these concerns that are shared by residents of Trinity-Spadina and across Ontario."

I support this petition. I will sign it and send it to the table with Hannah.

The Deputy Speaker (Ms. Soo Wong): Further petitions. I recognize the member from Windsor-Tecumseh.

HYDRO RATES

Mr. Percy Hatfield: Speaker, before I begin, could I acknowledge the member from Kingston and the Islands and the passion that she brought to her member's statement this afternoon on the passing of Gord Downie? Thank you very much.

I have a petition to battle energy poverty.

"To the Legislative Assembly of Ontario:

"Whereas our hydro rates have tripled since Conservative governments started privatizing our electricity system, and since Premier Wynne took office less than four years ago, peak hydro rates have increased by more than 50%—faster than the rise in family income and more than 10 times faster than inflation; and

"Whereas the Ontario Energy Board (OEB) has reported that the number of residential customers' hydro accounts in arrears skyrocketed between 2014 and 2015 from 2,172 to 6,078, representing \$1,180,762 in the city of Windsor; and

"Whereas the Ontario Chamber of Commerce has reported that it expects one in 20 businesses to close in the next five years due to rising energy costs; and

"Whereas the Minister of Energy has stated that he has no intention of requesting the OEB to lower or reassess the affordability of hydro rates in the province, claiming the OEB is an independent regulator with a mandate to protect the interests of Ontario; and

"Whereas the OEB and the Minister of Energy have failed in their mandate to protect the interests of Ontario consumers, preferring the interests of the energy suppliers, with policies that raise prices and exacerbate problems faced by families and businesses which are in energy poverty, or on the cusp of energy poverty; and

"Whereas the high incidence of energy poverty in Canada, particularly when gasoline expenditures are included, should be of central concern when policies regarding energy are devised; and

"Whereas the Minister of Energy has the power under the Ontario Energy Board Act to issue directives to the OEB with respect to fees and pricing, including the power to compel the OEB to take steps specified in the directives to promote fairness, efficiency and transparency in the retail market for gas and electricity;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To take immediate and tangible steps to reduce the costs of energy paid by Ontarians, including:

"(a) using the minister's authority under the Ontario Energy Board Act to issue directives to the OEB to ensure fair and reasonable energy costs are being paid, including the need to take into account low-income needs and other factors driving people and small businesses into energy poverty, and

"(b) stopping the sale of Hydro One and make sure Ontario families and not private business benefit from owning Hydro One now and for generations to come."

I fully agree. I'll sign my name and give it to my buddy Max to bring up to the front.

The Deputy Speaker (Ms. Soo Wong): Further petitions. I recognize the member from Beaches-East York.

BRUCE POWER

Mr. Arthur Potts: Speaker, if I can, I also would like to thank the member for Kingston and the Islands for her stirring tribute. I knew Gord Downie not for his music but for the fact that, for over 10 years, he backstopped our pickup hockey game—the Riverdale Rats—for two hours every Friday. He was our goalie. He was an incredible, incredible goalie—something he's not as well known for.

Speaker, I do also have a petition.

"To the Legislative Assembly of Ontario:

"Whereas Bruce Power provides 30% of Ontario's electricity production at 30% below the average cost to generate residential power;

"Whereas extending the operational life of the Bruce Power energy units will ensure families and businesses have long-term, low-cost stability and clean air to breathe;

"Whereas the Life-Extension Program (LEP) will secure an estimated 22,000 jobs and an additional 3,000 to 5,000 jobs annually throughout the investment program, injecting billions into Ontario's economy;

"Whereas BWXT contributes approximately 1,000 high-skilled, high-paying jobs to residents of Cambridge, Peterborough, Toronto, Arnprior and Dundas and their surrounding areas;

"Whereas BWXT generates over \$90 million in payroll and procures over \$100 million in Ontario goods and services annually across its five major operating locations in Ontario;

"Whereas BWXT contributes back over \$50,000 annually to worthy charitable organizations and celebrates a strong engineering co-op program to support the mentorship and development of local engineering students;

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"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To support the vital role that nuclear power plays in delivering clean, affordable electricity while contributing to a prosperous, well-employed regional economy and across the province."

I agree with the petition. I'll sign it with my pen, which is in this pocket, and I'll send it down with page Abigail.

DRIVER LICENCES

Mr. Michael Harris: I've got one here that I would like to read.

"End the DriveTest Gridlock.

"To the Legislative Assembly of Ontario:

"Whereas the people of Ontario are required to register and successfully complete any of a series of written and/or road/vision tests offered through the Ministry of Transportation to obtain and/or maintain a driver's licence allowing legal operation of a motor vehicle in the province or beyond; and

"Whereas, as per terms of the 2010 contract renewal with the government, the private corporation Plenary-Serco is responsible for:

—"providing knowledge and driving tests to individuals applying for or renewing driver's licences in any class, including commercial classes of licences

—"maintaining and operating a network of DriveTest facilities and travel point facilities

—"responding to customer inquiries and complaints; and

"Whereas the 2010 contract renewal between the government and Plenary-Serco was, 'projected to generate an estimated \$800 million in shared revenues over its [10-year] term'; and

"Whereas at the time of the contract signing the existing driver examination services network processed approximately 575,000 knowledge tests, 675,000 road tests and exchanges over 90,000 licences from other jurisdictions; and

"Whereas Plenary-Serco DriveTest customers across the province have faced egregious, costly delays in booking, and/or executing, drive or knowledge tests, or completing renewals—delays that in some cases amount to days of lost time and work for customers, extended lineups, and 'camp-out' queues; and

"Whereas these delays impact all sectors; often leading to time off work and/or inability to provide necessary information to prospective employers—costing both employers and employees alike—and directly impacting seniors in the driver's licence renewal program and youth entering into the graduated licensing system; and

"Whereas, despite terms of the publicly available portions of the Plenary-Serco contract that provide the government 'auditing,' 'monitoring,' 'increased monitoring,' 'performance penalty' and 'warning notice' powers, there has been no indication of penalties or warnings to address continued failings to deliver basic customer service; and

"Whereas KPMG reportedly performs annual audits of Serco's 'processes and procedures' on behalf of government that are not publicly available without filing a freedom-of-information request;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"End the DriveTest Gridlock!—Make government, KPMG, and Plenary-Serco self-audits for publicly funded DriveTest services publicly available, and immediately end the government's delay in implementing government's contracted 'increased monitoring,' 'penalty' and 'warning' powers, to allow the people of Ontario the DriveTest services they've paid for and Plenary-Serco has contracted to provide."

I wholeheartedly agree with this petition. I'm going to sign it and send it down with Alexander.

PRIVATE MEMBERS' PUBLIC BUSINESS

INSURANCE AMENDMENT ACT (LIFE SETTLEMENTS), 2017

LOI DE 2017 MODIFIANT LA LOI SUR LES ASSURANCES (RACHATS DE POLICES D'ASSURANCE-VIE)

Mr. Colle moved second reading of the following bill:

Bill 162, An Act to amend the Insurance Act to authorize life settlements/ Projet de loi 162, Loi modifiant la Loi sur les assurances pour autoriser les rachats de polices d'assurance-vie.

The Deputy Speaker (Ms. Soo Wong): Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. Mike Colle: Some people have asked me: How did you get into this issue of life insurance and life settlements? I said that I blame it on one of my constituents, who is here with me today: Morris Adams. It's his fault. Morris came to my office a couple of times and tried to explain a problem that he had. His problem was one of trying to take care of Ruth, his wife of 67 years, whom he takes care of diligently at home at Two Neptune Drive, up on Bathurst Street.

Morris is still working as a chartered accountant—he still works. He has had a distinguished career, and again, he has saved his money his whole life and tried to do the best he could by his family. Now he's at a point in his life—Morris reminds me he's 91 years old. The trouble is that he is insurance-rich and cash-poor. He is running out of his savings because of the cost of taking care of his wife at home. He brings in a homemaker to try to help out. He has got to pay his living accommodations still at Two Neptune. Despite lifelong work and saving—an excellent citizen—he is having a great deal of difficulty financially at this stage of life.

So he said that he approached his insurance company and said, "Listen, I've got"—I think—"about \$300,000

worth of life insurance policies. Can I get any value out of them so I can get some money to help support my wife and myself?" I think the life insurance company's response was, "Not while you're alive; you can't get any money. Now, if you die, you will get some money for your beneficiaries." Morris said, "Listen, I want to take care of my wife now and I don't look forward to dying. I want to live," and take care of his wife, Ruth.

That's how I got involved in this whole issue of life settlements.

I don't know if anybody here—Mr. Bailey, from Sarnia, have you ever looked at your life insurance policy? Have you ever seen the print, the different options and different types? There must be about 50 different types of life insurance. Have you really looked at what they really mean and what you can do and cannot do and what the pros and cons are of the type of life insurance you have, term insurance or universal insurance? Anyway, it is really complex.

What this bill tries to do is it tries to give people an extra option when they get a life insurance policy, and the option is this: If you come to a point in your life where you want to sell your life insurance policy and get some money that you need now to take care of yourself or your wife or your family, that you have that option in the life insurance policy. That's what life settlements are: that you're given that choice. Now, you don't have that choice in Ontario. In 42 US states, they have it. Life settlements: You've got that choice. It's been since 1994. In a number of Canadian provinces—Quebec, New Brunswick, Nova Scotia etc.—they have that option. Here in Ontario, for 80 years there has been a law on the books that denies seniors the right to that option.

We know what happens to your life insurance policy now. If you read the fine print in your life insurance policy, it tells you that you've got two options. In Mr. Morris's case, for instance—do you know what your two options are? One thing the insurance company will tell you is to just walk away from it and let it lapse. Even though you've paid premiums for 30 or 40 years into a life insurance policy—thousands of dollars, hundreds of thousands of dollars maybe—you get zero out of that life insurance policy. You walk away from it. In fact, that's what happens to most life insurance policies. People walk away from it because they can't continue to afford the premiums.

The other thing you can do is you can surrender the life insurance policy—that is, give it up. But you can only give it up to the insurance company you bought it from. And you know what you get back for it? Look at the fine print. My friend from Windsor, the fine print will tell you that you can only give it back to the insurance company that sold it to you, and you know what you get back for it? You're lucky if you get 3%, 4% or 5% back.

So here you are, you've bought this life insurance, you dutifully paid premiums, and you can't access that cash.

In this bill here, we're asking for a choice to be made whereby you can have the option of selling it to a third party. There are markets that will buy these life insurance policies and they continue paying the premiums for you,

but they'll give you a value—50% of the value, 60% of the value, depending on what the market is for it. But at least you have some value that you choose to get out of that life insurance policy, rather than all those premiums and all that money ending up with zero cash in your pocket. That is what this bill is trying to do—it's trying to say that seniors, especially, should have a choice at a point in their life of what they want to do with their life insurance policy.

1340

Some people say, "The government has the right to deny you this right." Well, I think we underestimate the intelligence, the capacity, of 99% of our seniors. They have the intelligence to make these choices. The bill even calls for a 10-day cooling-off period so that they can re-evaluate, because life insurance is a very complex field.

There are thousands of seniors who, through their quality of life and their hard work and their good habits, are living much longer in Ontario and throughout Canada and North America. Now it's very common for our seniors to live to 80, 90 or 100. They're living longer and longer. The tragedy is, as they live longer and longer—as Morris told me, "My biggest fear is that I'm going to run out of money. I'm running out." If you're living, as Morris is, here in the middle of Toronto—and he's taking care of his wife; he's still working. He said, "Mike, I'm running out of money. I've tried to get my life insurance to give me some money. There's no go."

It's a real thing that isn't for every senior; it isn't for every family. But it's a choice that I hope, as legislators, we can give to our senior citizens. It is a viable option. Again, it has been on the books in the United States, and it is in most provinces. But it is not one that is supported by the life insurance association of Canada. They don't like it.

I think that we owe it to the people of Ontario to look at how life insurance works, to make it more transparent. Does life insurance really work for the benefit of seniors? Are they getting good value for their life insurance? Does it give seniors and Ontarians in general—those of us who pay for life insurance for years and years—the transparency we need? Is the life insurance policy in understandable, Canadian Tire English? I doubt it. You probably have to be a Bay Street lawyer to read a life insurance policy. I haven't read mine. In fact, because of this I'm going to go back and read mine to see what the heck it means and if I've got anything.

I think it's a very good opportunity, as we look at life settlements, that maybe, beyond this bill, this Legislature could also start to open up the curtains behind this mysterious world of life insurance.

I'm not trying to demonize the life insurance companies or the people who sell life insurance. What I'm trying to say is that we need to make it more transparent, more understandable, more consumer-friendly and more beneficial to the consumer. It seems to me, in this area of life settlements, most of the benefits go to the life insurance companies. Sure, there are many people who benefit by life insurance payouts and benefits. But we still need to find options that make life insurance much more to the

benefit of the person who, in good faith, has paid premiums year after year, decade after decade, and now, at a time when they want to make a choice, as in Mr. Adams's case—the choice is that he wants to keep on living in dignity, taking care of his wife and keeping up a reasonable standard of living by accessing policies that he's paid for. Year after year, he's paid thousands and thousands of dollars in premiums, so he has done his part. Now he's saying, "Why can't I access these policies?" which belong to him; they're his assets. He cannot do it in Ontario.

The interesting thing is that this same bill was put into legislation in the year 2000 as a result of the Red Tape Commission. It recommended that this be given in Ontario. Sadly, in the year 2000, this bill died; it never got proclaimed. I'm hoping that we will look at this, debate it and find out if we cannot, as a provincial Legislature, take this bold step and give our hard-working life-long good citizens—especially our seniors—the choice of accessing money from their life insurance policy in a free and open market. Right now, as I said, you cannot access that in Ontario. The doors are closed.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Mr. Victor Fedeli: We have other members speaking to this bill as well.

The one comment that came towards the end from the member was, "Let's look at this, and let's debate this." At the end of the day, that's what we really should be looking at doing—having this go to committee so that it can be debated and all sides can be heard from on this, because, quite frankly, there are two sides to every story, and maybe three or four sides.

Let's just look at some of the details quickly. Life settlements, as this is known, involve the disposition by the insured of their insurance policy and it involves the disposition of all of their rights under a life insurance policy to a third party in exchange for a cash payment. That means: "I'm 20 years old. I buy a life insurance policy. I've paid into it. I'm 40 years old. I can stop paying today; it's got a value, a \$100,000 policy. Today, I would look to have the opportunity to sell it and have that money today because my family is taken care of by other areas of my financial plan." That's really what it comes down to.

In Canada, there are four provinces that do not allow this; in fact, they explicitly prohibit this: Saskatchewan, Quebec, Nova Scotia and Brunswick. I'm sorry; those are the four provinces that allow it. All of the other provinces, including Ontario, prohibit trafficking, as they call it, of insurance policies.

Bill 162, An Act to amend the Insurance Act to authorize life settlements, proposes amendments to section 115 of the Insurance Act to allow an exception to that current rule. It allows people to be able to sell their insurance policy. Right now the prohibition does not apply to the sale of a life insurance policy if the purchase is from the original policyholder and the policy has been held for at least 36 months. In reality, it probably would

have to be held for a lot longer than that to have the cash value paid up. You're not going to want to buy an insurance policy from somebody that they still owe a tremendous amount of money on. There are going to be certain restrictions and certain guidelines.

Consumers deserve to have a choice. When it comes to their insurance options, as in everything else in Ontario, they should be able to have a choice. There are some who wrote to me who say that this is dangerous and opens up a potentially predatory market; there are those. There are many on the flip side—especially seniors—who know that some of the protections can be looked at here and believe that this should be allowed. They compare it, quite frankly, to the reverse mortgage. We hear a lot of comparisons to the reverse mortgage, which is really geared towards seniors, and it is a generally accepted financing tool—it's a financing option, again.

1350

I know that there are professional organizations that people with this colour of hair tend to be a member of. I agree with what they're suggesting, which is to get this thing to committee so we can talk about it intelligently. I think that's really where we want to go. There are some red flags to opening the door for unscrupulous opportunists, but there are huge and wonderful advantages for seniors to be able to capitalize on the money that they invested in their security when that security, for whatever reason, is no longer necessary.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Ms. Jennifer K. French: I am pleased to be able to rise and speak on Bill 162, the Insurance Amendment Act regarding life settlements. Speaker, this is an interesting one because, as the member from Eglinton-Lawrence had said, when it comes to insurance, it may not be in Canadian Tire English, or that you might have to read the fine print a couple of times. I did my darnedest to wrap my head around this particular bill, this particular issue, and I'm glad I took the time because I find it not just an interesting topic for conversation; I find it alarming, frankly. I would also like to welcome his constituent, Morris, here to Queen's Park.

I'm glad to know that constituents find their way into all offices and bring their issues forward. My grandma is 96, and I know how challenging it is for her to make ends meet and figure out the cost of care and accommodations and all of those stresses that she endures living in this province.

What we have here, as I understand it, is that if I were to have a life insurance policy—and when I take that out initially, there are choices at the beginning and I can hopefully work with the company and figure out the right policy for me. Whether that's to cover university for my dependents, whether that is to cover a mortgage or funeral expenses or what have you, there are different options as you're getting into this—and fine print, as we have heard.

I would like to say that what the member opposite said about making it more transparent and looking at the

entire beast of life insurance and saying, "Let's make sure that the folks in Ontario are getting what they should have and understanding what they're getting into," and to give them flexibility of products and coverage: All of those things are super-important. A lot of constituents come into my office and, whether it's about home insurance or car insurance or insurance in general, there are so many concerns about the system. I wish that the government would be up to the task of holding the industry accountable in more ways—but that's a different conversation, I think.

What we have here is that if I buy a policy and then I get down the road and I say, "I would like"—as he said—"the flexibility to get some money out of this while I'm still alive," then we get into the secondary market. This is saying that there would be a third party. Perhaps my friend over here, my colleague next to me, says, "Well, I'll buy it from you. I'll pay you more than it's worth right now, but it's not nearly as much as it's going to be worth when you die." That happens, I continue on my merry way, and whatnot.

What if I've got dependents, and what about my funeral expenses, and what about what comes next that that policy would have covered? I'm not insurable anymore, is my understanding. Let's say that I have dependents, Madam Speaker. Let's say that I have a family and let's say that I need that money. I'm not a senior, by the way. The feeling of, "Let's look after our seniors": I understand that, but this isn't specific to seniors. This is anybody with a policy.

Now if I'm a parent and I've got a number of children and maybe I have addiction issues or perhaps I have a gambling challenge—what if I'm desperate and I need that money? I need that money, so I work out that same deal with the guy who is waiting outside of the casino who says, "I've got some papers for you to sign." What happens then? I'm not insurable again, and that money is gone. The benefits are gone, that safety net for dependents, for beneficiaries, for maybe university expenses, for mortgage—it's gone.

What I find in my constituency office is that a lot of folks that come in are desperate, they are oftentimes in crisis and they are absolutely up against it. They are up against it when it comes to the cost of accommodations, and I see nothing from this government about incentivizing the development world to actually get into affordable housing again. I don't see a plan to make housing more affordable. I certainly don't see a plan to lower bills. "Let's sell off Hydro One and cut off all of our revenue streams and not have as much money to put into education and health care. Let's actually not make medicine more affordable for people who are over 24."

So if we're going to talk about giving people options, let's give them options across the board. Let's make life a little bit more affordable. In fact, let's not even make it a little more affordable; let's make it affordable entirely. Let's look at the whole thing. Let's give people options all along the way so that we don't force them into counting the pennies at the end of life and saying, "Oh,

my gosh, I cannot pay for things. I cannot look after the people I love. I cannot get to the end of this." I know how challenging it is for people because we meet with them every day.

This is something that FSCO is against. This is a bill that this member has put forward, saying, "FSCO will regulate it." Well, FSCO is saying, "This isn't a good idea."

At what point do we look at our responsibility to community members along their entire lifetime? Someone who works their whole life and is paying in should be able to have security all the way through.

Lord knows, I've spent hours and hours and hours debating with this government on retirement security, with their Ontario Retirement Pension Plan. It was of the utmost concern that people be able to retire with dignity. Well, why don't we make it easy for them all along the way?

I'm out of time, but I sure would love to get into the Sears issue, and I hope that my colleague will do just that.

The Deputy Speaker (Ms. Soo Wong): Further debate.

Mr. Arthur Potts: I'm delighted to have this opportunity to speak to this private member's bill from my colleague the member from Eglinton—Lawrence. I think it's very important that he has brought this bill forward in order to not just support a constituent but to support so many other people who find themselves in the same situation that Morris does.

Welcome to Queen's Park.

I always find when constituents come in with a particular concern, it's not about solving their concern; it's about solving their concern on behalf of the thousands—in this case, maybe tens of thousands—who are facing similar circumstances.

When I look at the bill from the perspective that we have it here in front of us, it's a lot like—I'll be talking a little later on on my own bill, on protecting consumers from credit agencies, in that we are now trying to do something in the interests of fairness; that other people in Canada, not all across, but other provinces in Canada already have. People down in the US, in many, many states, have this opportunity as well. So from a perspective of fairness, we need to open up these avenues. Ontario shouldn't be known as a disadvantaged province where seniors don't have an opportunity to access life leases.

I also want to address the question that, if consumers knew that this was a possibility and they spend all those years putting money into premiums, as I have, into life insurance policies—if they knew that this was a possibility when their cash flow might run short later in life, they may be more inclined to not put that money into a savings account but to be able to have the insurance, in case of a catastrophic event in their life, that would provide money for their families.

So I think an unintended consequence—or maybe intended, because the member from Eglinton—Lawrence

is so complex—it may be an intended consequence that this will encourage younger people to take out life insurance policies, which would be much needed to protect their own families. I think that could be a very important benefit of doing this.

If you look at the provinces like Quebec, Saskatchewan, New Brunswick, Nova Scotia: They have this opportunity. So I think it's important that we recognize that and that we take an opportunity to bring this kind of legislation to Ontario.

It's interesting that in my bill later on I'll be talking about the fairness question as well—the lack of fairness has to do with a private corporation—Equifax, Trans-Union—who don't give us the same benefits, and I'll talk about this. But here, we apparently are the ones who are doing the wrong thing, in that we are blocking, in our Ontario laws, people from having an opportunity to access much-needed dollars at a time in their lives when they could be better spent.

So, Speaker, I certainly will be supporting this bill, and I appreciate very much the member from Eglinton—Lawrence bringing it forward.

The Deputy Speaker (Ms. Soo Wong): Further debate.

Mr. Lorne Coe: I'm pleased to be included in the debate on Bill 162, as I believe that societies can and should be judged, at least in part, by their treatment of seniors.

1400

We live in a province that was shaped by our oldest citizens, and the Ontario that our children and grandchildren will grow up and live in will have been shaped by seniors. That's borne out by statistics that are available through the Ontario Ministry of Finance, which tells us that the number of seniors aged 65 and over is projected to almost double, from 2.3 million to 4.6 million, by the year 2041.

Coupled with this projection, many seniors in Ontario continue to find themselves in dire financial situations. These circumstances often mitigate the importance of having a life insurance policy, in lieu of greater access to other forms of financial assistance. It's clear that financial options for seniors, such as life settlements, have become increasingly necessary as Ontario seniors continue to pay more and get less.

Speaker, if the primary purpose of Bill 162 is to propose ways to assist seniors financially, then the Liberal government should also consider options to make their lives, overall, more affordable.

On the merits of the content of the legislation: I would urge the government to undertake a robust consultation on the content of this legislation; in particular, with the Ontario Ministry of Seniors Affairs Liaison Committee. This committee is comprised of 20 organizations with the leadership, knowledge and expertise related to seniors' issues; in particular, life settlements. The committee's voice would be valuable, I would suggest, to include in these consultations, as well as a cross-section of life and health insurance providers.

There needs to be some assurance that seniors will not be asked to surrender policies without fully understanding the consequences. At the same time, there should be measures in place to educate consumers on the details of these transactions, and that life settlements can represent a way to access funds out of a lifetime investment that they would not be able to access otherwise.

In closing, Speaker, I'm a strong believer in providing residents with the freedom to do what's right for them, and that government should have a smaller role in the lives of Ontarians. At the end of the day, Bill 162 is about enhancing the quality of life and supporting the needs of seniors who have built our communities here in the province of Ontario. After all, we only have one life to live, and we should all live it as comfortably as we possibly can.

The Deputy Speaker (Ms. Soo Wong): Further debate.

Mr. Paul Miller: First of all, I'd like to commend the member for his effort to alleviate some of the pressure on our seniors. I have a different way of doing it. I disagree with his approach, but I know his heart is in the right place.

This bill is being portrayed as a measure to alleviate poverty for those with life insurance. However, it would hurt many Ontarians in the long run. The basic premise of this legislation is to permit individuals to cash in their life insurance plans early so that they can use the money to get out of immediate debt. This would create a secondary market for life insurance products. It may sound practical to permit someone to sell off their life insurance early; however, the effects of the idea would be harmful.

Life insurance is an important investment that many Ontarians make. There are different options. An individual can pay into a plan that will usually either provide protection over a long period of time or give a large payout upon an individual's death. In cases where the individual may choose to sell off their life insurance plan, these future payouts would be compromised. When somebody invests in a life insurance plan, their long-term intention is not to eventually sell it off. Selling off their life insurance plan would only be taken as a desperate measure and a last resort. Essentially, the individual is favouring a short-term gain for long-term pain. That is because the amounts they could earn through the sale are much lower than what the plan is capable of giving them back in the end.

Not only does the legislation have the potential to compromise the future of impoverished Ontarians; it could also lead to the creation of a predatory market environment. This is what's happening in the United States. At this very moment, there are American laws that give an insurance policyholder the ability to sell their plan. The purchaser becomes the new beneficiary of a payout when the insurance policyholder dies or reaches a certain age. In almost all of these cases in the US, the new beneficiaries are large institutions. In his article from the Wall Street Journal in 2004, Jeff D. Opdyke suggested that this market wasn't necessarily consumer-friendly. He

warned readers to prepare for phone calls from individuals called “insurance agents” asking to buy off the reader’s life insurance plan. His recommendation was to try and avoid selling their plans. This article gives an informative look at the real problems of this practice. However, it is doubtful that every insurance policyholder will understand the problems with what they are doing at the time. They may need rent now and hear a voice on the other end of the telephone line telling them that they are able to collect big bucks to cover their debts. But in that interaction, the longer-term implications would not be explained to the insurance policyholder.

In *Money* magazine, Dan Kadlec gave a generic overview of what might happen to an insurance policyholder who chooses to sell their plan. If they are insured for, say, \$1 million, they might receive \$250,000 from the purchaser. Upon their death, the purchaser would receive \$1 million and the seller would receive nothing. Basically, the family of the seller would be shortchanged \$750,000. This is not an outcome that helps to solve poverty; it only makes things worse for our next generation.

By implementing Bill 162, we do not just give individuals the capacity to sell off their life insurance plans; we open the floodgates for a predatory market that would be designed to take advantage of average Ontarians. This bill is trying to address the issue of poverty in the wrong way.

Looking at Bill 162, I can’t help but think that the Liberals are truly legislative magicians: They have you focus on one hand, and they deceive you with the other. The question that they want you to be asking yourself is, “Why shouldn’t individuals have the freedom to sell off their insurance?” All the while, they are distracting you from the real question: “Why do individuals find themselves in such extreme debt, to the point where they feel the need to sell off their life insurance plans to survive?”

Here is the problem right now in this province: Social assistance rates are simply too low for most people to live off of. They have been well below an adequate amount since the early days of Mike Harris, and the government since that time has done nothing meaningful to change it. Debt for the average person below or close to the poverty line piles up and piles up and piles up. Thus, for Ontarians with few assets built up, selling off an asset like life insurance could be a tempting option. If this Liberal government is really committed to helping Ontarians get out of a financial bind, give them the social assistance to do so.

One thing you could do is move Bill 6 forward, which I brought forward, which is lying dormant in level 2. This bill creates a commission to make recommendations on what social insurance rates should be in each region of the province. That would help to alleviate poverty.

But don’t legalize an option that could drastically cost average Ontarians in the long run much more than they invested initially and what the people who bought their plan would earn.

For some reason, this government has a problem investing in social assistance programs, but I’ve got an

idea for them: They need to think about social assistance rates not as a cost but as political insurance. You should be paying into this insurance program right now. That way, when your party is kicked out of office, you can point back to your time here and say, “Look, we improved social assistance rates. We moved forward with Bill 6 to help people.” The more you pay in, the less you’ll be hated once you’re kicked out.

Bill 162 is addressing a significant problem in the wrong way. Our Legislature needs to take a good, hard look at this province. It needs to recognize the harsh reality that poverty is widespread, and take action in the form of more adequate social insurance rates, for the good of this province.

The Deputy Speaker (Ms. Soo Wong): Further debate.

Hon. Michael Coteau: Point of order, Speaker?

The Deputy Speaker (Ms. Soo Wong): I recognize the Minister of Children and Youth Services.

Hon. Michael Coteau: I just want to take a minute to recognize Keneca Pingue-Giles, who is here today. She is someone who works in an advisory capacity at my last ministry, and has worked to help women in sport here in the province of Ontario. Welcome to the Legislature.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Hon. Dipika Damerla: I’m so pleased, as the Minister of Seniors Affairs as well as a trained accountant, to rise today to commend the member from Eglinton–Lawrence for raising this really important issue.

I want to acknowledge the fact that the member has long been a champion of seniors, both in his constituency and across this province. I applaud his effort to seek creative solutions to improve their quality of life.

I also want to take a moment to welcome Mr. Morris, who I happened to run into—literally ran into—when he was walking into Queen’s Park earlier.

1410

Section 115 of the Ontario Insurance Act came into effect in the early part of the 20th century, and in that time, much has changed. I think it is important now to analyze whether this act adequately reflects the values, trends and needs of our society today. As many members have already pointed out, seniors are our fastest-growing demographic. One of the issues, really, is that we are living so much longer than we were living even 50 years ago that there is a real concern around whether people will outlive their savings.

When you look at the demographic changes, I think it’s really important for us to look at all of the possible solutions. The NDP has proposed some solutions, and I’m not saying no to them, but that should not preclude us from looking at other solutions. This is one such solution.

The challenge here, really, is a tension between the desire to protect consumers and to allow liquidity in an instrument. It’s really that tension between free markets and consumer protection. I think the sweet spot lies somewhere in the middle.

I did find some of the comments by the members from the third party a little concerning because they almost don't trust Ontarians to know what is good for them. On the other hand, there are some real concerns around consumer protection.

A couple of things that I just wanted to raise were that I liked the fact that the member has put in a 10-day cooling-off period. That's critical. That's really important. But before we go ahead, while I like the concept, I think we need to consult more. We need to consult with our seniors as well. The reason I say that is that one of the unintended consequences of allowing for life settlements could be that insurance premiums go up for life insurance. We just want to make sure that we know about that and what that impact would be. So stakeholder consultations would be really important. The idea and the intent are really strong, but the devil is always in the details.

I think a few members made mention of the fact that Quebec is among those provinces that allows for the sale of life insurance in the secondary market. It's instructive for us to know that now Quebec is moving to put some limitations on those sales. It's not saying that you can't sell, but it's trying to put some limitations—again, in recognition of the fact of that tension between consumer protection and allowing individuals that flexibility with the financial assets that they have.

The last thing that I would say is that education is a really important piece in this. If you're unable to pay your insurance premiums, it's really important to know that, at that point, the cash value of your insurance will actually be used by the insurance companies to pay that premium so that your insurance doesn't lapse, and indeed, when the time comes, that insurance payment is made. And it's really important for individuals to know what the cash value of their life insurance is so that they never sell—if we allow them to sell, the important thing is that we make sure that there is a mechanism so that nobody ever sells their life insurance below that cash value, because at that point they are really hurting themselves.

I think in summary I would say that I want to thank the member. It's an innovative idea. I want to just caution that we need to do a lot of stakeholder consultations, including with senior stakeholders, and make sure there aren't any unintended consequences that we didn't mean to happen.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Mr. Bill Walker: We're speaking today to Bill 162, the Insurance Amendment Act (Life Settlements), 2017, and we're actually talking and debating about amending section 115 of the Insurance Act, which would allow life insurance policyholders the option to sell their plan before they die and essentially collect the monies before they die and spend as they need or as they choose.

In Canada, Saskatchewan, Nova Scotia, New Brunswick and Quebec all allow this. In the United States, it's fairly common. In fact, it's called life settlement, and it's

estimated that more than \$7 million is paid to people there every day through these life settlements.

The idea is that whoever buys it continues to pay the premiums and gets a payout at the end while the original policyholder may benefit by getting some portion of the money while they are alive instead of the full amount going to their beneficiaries when dead.

Madam Speaker, I support that. It's about choice. I bought the policy, I want to be able to do it, and I should, I believe, utilize that asset if it's my choosing. It appears to be a choice often pursued by senior citizens who are struggling financially in retirement. Today, as we know, in Ontario, we have a lot of senior citizens who fit this vulnerable profile because this Liberal government has made their life harder, sadly. This doesn't mean they're living in poverty, but they are in a very vulnerable economic situation in many cases and could be one bad Liberal policy away from poverty.

Considering the recent trends in Ontario—namely, the rising cost of living expenses, lack of affordable housing, hydro and drug hikes, and poor access to nursing care beds—this government has really made it unmanageable for seniors to keep up with the cost of those essentials. So this is one tool, one resource, that they could actually go to to make life more comfortable while they're living. I believe, again, that that's what we need to be looking at. None of us wants to see senior citizens living in poverty, but again, the recent government policies have made Ontario seniors more vulnerable.

If it's not falling on family to help reduce their parents' financial stress—in fact, more than three million Ontarians are doing that today for their aging parents, and 70% say they themselves are struggling to financially support their elderly parents' needs—then what do you do? The member for Eglinton—Lawrence says, "Sell your life insurance policy," and I commend him for bringing this forward for debate.

I can support this bill on the merit that it offers consumer choice, but I respectfully remind the member, his Premier and the government that to truly help seniors with their income, they should instead make the drug system better and cheaper by reducing red tape, and make life overall more affordable through tax cuts and lower hydro bills, as well as increasing access to seniors' housing and nursing beds.

Affordability is the most common theme I hear when I am speaking with senior citizens and stakeholders, including the Retired Teachers of Ontario, the Ontario Association of Non-Profit Homes and Services for Seniors, the Ontario Community Support Association and the United Senior Citizens of Ontario.

If the Liberals are likely considering Bill 162 because they have raised the cost of living dramatically and expect seniors to sell their life insurance to pay for their hydro bill, then that's a scary thought. I know that the stakeholders I mentioned would not want to see that happen, and neither would they want to see seniors exposed to a potentially predatory market that may result from this proposed amendment. There are a number of

red flags when it comes to opening the door for unscrupulous opportunists to take advantage of vulnerable seniors, and I did raise these concerns with Mr. Leonard Goodman, who is in the audience today, of the Life Insurance Settlement Association of Canada.

It is clear that this government has made life for our most vulnerable seniors unmanageable, completely neglecting to ensure they have an opportunity to enjoy a dignified and safe quality of life at retirement. Let's not forget that 30,000 of them are stuck on the province's long-term-care wait-list, a wait-list that is expected to double to 50,000 seniors in five years, as this Liberal government refuses to commit to increasing capacity and adding new nursing beds.

Madam Speaker, as I summarize, I believe seniors deserve better than they are getting from this current government, and this is a tool that, for many, could actually open a door to allow them to live comfortably and in the manner that they choose. It is something that, certainly, I believe gives choice. I believe there have to be safeguards. That's why, if we get it to committee, we can have those types of concerns raised. We did have a group, the CLHIA, that has brought in some concerns, and again, that should all be discussed at committee so that we know that. But I believe with proper safeguards, such as a 10-day cooling-off and a rule that you can't flip and flip a policy, that there's a one-time consideration—when I had that meeting with Mr. Goodman.

Again, it comes back to choice. This is an asset—and many people's lives change. They bought life insurance for one need, perhaps that has changed, and they have that sitting there as an asset. I think the key point here is that if they choose and there are safeguards so that they know exactly what they're doing, then I believe it comes back to the fundamental right for them to be able to make that decision. If there are good safeguards, if there's good regulation in place to make sure that that is there and it's clear, then I believe, at the end of the day, we need people to allow people to make decisions that are going to be about their life on their own behalf. I stand behind that principle that we shouldn't be interfering. This is old, archaic legislation that we can change to make lives better, particularly for the seniors of our province and those who wish to do so.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Hon. Tracy MacCharles: It's my pleasure to speak to this private member's bill. I want to acknowledge the MPP from Eglinton–Lawrence for bringing forward yet another great and important bill based on real and genuine feedback he has heard from his own community.

As the Minister of Government and Consumer Services, I especially want to thank him for bringing this forward. At our ministry, we hear from seniors every day, seniors who are either facing scams—I'm not saying that that's what this bill is addressing—or, in some cases, they have entered into a contract, an insurance policy, perhaps. They've been in it for a long time; they maybe signed up for it because that's what their parents did, and

perhaps they didn't really appreciate all the terms and conditions of that.

What really appeals to me with this bill is the 10-day cooling-off period during which a policyholder can withdraw a life settlement agreement at any time. That's very consistent with other legislation we have in our province to protect consumers, that cooling-off period. So people can make an informed choice, maybe go get some legal advice or talk to family and friends and see if this is the right thing for them to do.

I know that when my dad lost his wife—my stepmom—fairly suddenly a couple of years ago, he felt very pressured financially. They had a nice home, and they had saved a bit, of course, but he felt very pressured to sell his house and obtain some sort of cash flow so that he could continue to live comfortably.

1420

What this bill is about is choice. It is about seniors or anyone else who needs to live and age comfortably and with dignity. I think choice is important. I know for Dad it was a very panicky situation. In the middle of his grief, he was feeling the need to sell his house and do some other things so he would have better cash flow. Well, that may not have been the best decision for Dad at the time.

I think this bill brings forward something that I feel strongly about, and that's the principle of consumer choice. I think MPP Colle has highlighted important points here, very deserving of support and a discussion to see how we can continue to advance the protection of consumers and our aging population. I just want to say thank you to him for bringing this forward, and he has my full support of the bill.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Hon. Michael Coteau: It's a pleasure to speak on Bill 162 today. I also want to thank the member from Eglinton–Lawrence for bringing forward this proposed piece of legislation. The member is always bringing forward ideas that speak to the challenges that people have in life, and he always looks for ways to better position people for success here in the province.

I fully support this proposal. I think that we need to look for ways to better position seniors for success as they age. Like all of us here in the room, sometimes things come up in life that are unexpected and we need to have ways to take on those challenges of life. Again, thank you to the member from Eglinton–Lawrence.

What I would add, though, in regard to just making sure that people are not being taken advantage of—because, you know what? There are a lot of people out there who, as they age, may have challenges, and it may place them in situations where they need access to money quickly, because it does become expensive, as you age, just making sure that you have those resources in place.

I'd ask that as we go out there and the committee talks to people, we explore the idea of a not-for-profit model to take on some of these challenges. What if there was a co-op or a not-for-profit model that could be used, which allocated an amount of money, where any surplus money

would go back into a fund that would go back to help seniors? I don't know if there has been a model that has been developed internationally that looks at a method like that, but I would look for ways to make sure that we explore all possible options, and even the possibility of a public option, where people can work with some type of not-for-profit entity.

The Deputy Speaker (Ms. Soo Wong): I return to the member from Eglinton—Lawrence to wrap up.

Mr. Mike Colle: I want to thank all the members on the other side and our side for their thoughtful comments. I may not agree with all of them, but I appreciate it.

This is the first time in my 22 years that we've ever discussed life insurance. Not a word has ever been said. This is a multi-billion-dollar industry, and not a word from an opposition question or from the government—we've never discussed life insurance.

It's sort of strange to me. I hear the NDP stand up and defend, basically, the multinational insurance conglomerates. They are the ones that say, "Don't do this. It's going to be the end of the world." Well, they receive 80% of the cash value, because most people can't afford to pay the premiums. They walk away. The money goes back to your insurance company friends. It doesn't go to the seniors. Why you would be in favour of that as the NDP is beyond me. Sorry for that.

But anyway, I just want to say that this is something I had hoped to do, to try and open up this very cloudy, mysterious world of life insurance that needs some transparency. It needs some consumer protection. It needs to look at different options. This is one option I've put forward, just as I put the option forward about the innocent co-insured, where we would found out there was a loophole. The NDP supported that too, where if you are co-insured—and in the case of those three sad situations, where three women had their houses burned down by the criminal acts of their husbands, they didn't get any money from the insurance company when their houses burned down; three cases that I know of where that happened. That's because of a loophole in our insurance policies.

That's why we need to look at these things for our consumers, and not just believe what the corporate conglomerates tell us to believe.

The Deputy Speaker (Ms. Soo Wong): We will vote on this item at the end of private members' public business.

FAIRNESS IN CONSUMER REPORTING ACT, 2017

LOI DE 2017 SUR L'ÉQUITÉ DANS L'APPLICATION DE LA LOI SUR LES RENSEIGNEMENTS CONCERNANT LE CONSOMMATEUR

Mr. Potts moved second reading of the following bill:

Bill 167, An Act to amend the Consumer Reporting Act / Projet de loi 167, Loi modifiant la Loi sur les renseignements concernant le consommateur.

The Deputy Speaker (Ms. Soo Wong): Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. Arthur Potts: What a great pleasure I have to stand up here today and talk about Bill 167, the consumer reporting act. This bill comes in a long line of consumer protection bills that I've brought to this House since I was elected in 2014. You will recall my very first bill, the tipping bill, came forward very early in my term—

Mr. Percy Hatfield: It wasn't yours; it was Michael Prue's.

Mr. Arthur Potts: Michael Prue, the previous member for Beaches—East York, as the member opposite noted, brought this bill forward four times. In four attempts, he'd never been successful in bringing it forward. I brought it forward early in my mandate and successfully—

Mr. Percy Hatfield: You had a majority government.

Mr. Arthur Potts: It unanimously passed in the House, and it was agreed by all House leaders to move it forward. I was very proud of that fact, that we brought that bill forward. What it did was it protected servers from having the owners of their business—whether they're restaurant owners or a hair salon—skimming the tips. It was a very important protection in a consumer bill.

I also brought forward the daycare wait-list bill. In that bill, it said that daycare operators could not charge a wait-list fee that was unaccountable and non-transparent. It was costing residents in my community \$75 to \$100 for each daycare they put their child on a wait-list for and, after four or five, \$500 in trying to get a daycare space for their child. We made that illegal in the province of Ontario as well.

Of course, Speaker, you will remember the Air Miles bill. About this time last year I brought in the Air Miles bill. The purpose of the Air Miles bill was to not allow loyalty points, reward points, to expire on the basis of time alone. It was a period when Air Miles, at the time, was looking to expire all their points on December 31, and because we brought forward this bill and put uncertainty into the community about this, they withdrew.

In all three cases, the bills were passed or acted upon by our government. Here is a fourth bill. I absolutely believe this bill deserves the full support of this House and our government to move it forward, because it is, again, a very important consumer protection bill.

If passed, the bill will do four things. First off, it will force credit-reporting agencies to provide up to five free credit reports every year, if a consumer should ask for them. They can also ask for them in any form that they want to receive them, be it by mail or electronically. That's an important consideration. I will return to it later.

It also will allow a consumer to request of a credit-reporting agency that they put a security freeze on their personal credit report. I will explain it again in more detail, but having a freeze means that no financial institution will ever advance credit against that consumer if there is a freeze on their report.

It will commit credit-reporting agencies to have timely responses to consumer concerns, both in getting immediately back to them, within two days, and resolving a complaint within 15 days.

Then, finally, the last thing that this bill will do is it will provide free credit monitoring and fraud alert services up to the year 2021 for all Ontarians who request it.

I find it a bit rich that these credit agencies in Ontario—Equifax and TransUnion primarily—are collecting all of your private information, all of the transactions that you do and all of your relationships with banks, credit card companies and major department stores. They are collecting all of that information without talking to you about it; they are simply collecting it. Then they are selling that information to a third party: back to the banks, back to the credit card providers—again, with no notification to you. And so, unless you ask for it, you have no idea what information they are sharing. You are allowed to ask for it, but if you want that information in a timely manner, they charge you for it. They are required by law to give it to you if you ask, but they will give it to you in writing, and that sometimes takes a long time and doesn't serve the purpose required. So I think it's really important that we stand up to these big credit agencies and say, "You know what? This is personal data. You have an obligation to the people whose data you are collecting to treat them in a respectful manner."

1430

The timeliness of this bill is also very important. Speaker, you'll be aware that there was a major breach of personal data leaked from Equifax in the US that affected 100,000 Canadians. The timeliness of the response of Equifax—it was as if they were more interested in getting their public relations in line before they were interested in notifying people of these potential breaches. In fact, there is an allegation out there that some of the executives sold shares in their own company after the time that the corporation knew about the breach, although the claim is—in their defence, they say that they didn't know anything about it at the time.

So I think it's really important that we take a look at this bill and we take an opportunity to stand up to these credit agencies.

The first thing, as I said, is that it talks about free credit reports: five in a year. And don't use snail mail: In the electronic age, it is very easy for them to push a button with your email account and give you back the report that you want as soon as you want it. There are some who think that you should be able to get as many reports as you want in a year, since it is your information, but I think, out of reasonableness, we're suggesting five in a year. How often are you going to really need to go back to that well to find out what your credit score is and take steps to improve it? So I believe that five a year—and using whatever technology you want—they should be able to respond to it.

Secondly, a freeze of credit: A security freeze of your credit is extremely important to protect against identity theft and fraudulent operators, under your name, getting

credit and spending it on your behalf. It often happens, and has happened to friends of mine—it has happened to previous members of this House. An individual has gotten hold of their personal information, gone to a big-box store—Leon's, a "don't pay a cent for a year" event—and using that information, they've gotten Equifax or TransUnion to say, "Yes, this person has a good credit rating." And this person who has fraudulently stolen the identity gets a credit card for that department store or for that big-box store, runs up a bill of \$10,000 or \$20,000 in equipment, and a year goes by before they are in breach of not paying it back. By that time, there is no security video evidence of who made that purchase. And now the big-box store comes back to the consumer whose identity was stolen to fraudulently obtain that credit, and says, "You owe us \$10,000 for that equipment." "I didn't buy that equipment." "How do you prove it? It was done with your credit card." So by having a security freeze on people's credit, it means that no institution will give credit to somebody, because there's a freeze.

Now, Speaker, you ask: "Well, what if I do need to go back to the bank and get another credit card, or get a loan, or get a mortgage?" We're going to make sure, under this act, that within 48 hours you can lift that freeze, and that you can lift it and put it on at least twice a year. I think that gives consumers the flexibility they need in order to protect themselves against fraud and to manage their finances appropriately.

The third thing the bill does, as I say, is timely response. I have heard from so many people about the difficulty they have in resolving a credit score problem with an agency. They don't get back to them. They don't get back to them electronically, and it takes weeks and months to get a response. So the bill is going to make two specific requirements of a credit-reporting agency: First off, they will have to respond in two days to a consumer's concern; and then it puts in a further obligation that they will have up to 15 days to resolve the complaint. I think that should be enough time for them to get back with a specific resolution, and if it's not satisfactory, well, there are other avenues that individuals can take up, to take on a credit report if they don't believe the information is there.

Finally, I want to talk about this free credit monitoring. Equifax and TransUnion make money from you going and spending money to get not just your credit report but to get a fraud and monitoring alert service—I think it's upwards of \$35. You put that on; you pay for it. If someone comes in, they will notify you that someone is asking for credit, and then you can respond, "Well, that's not me," and they won't get it. In the US, when the breach happened, they offered all Americans one year of free access to reports and, up to—I think—November 21, a freeze on their credit report. That's just not good enough.

What I'm saying in this bill is, up until 2021, the end of year 2020, because so much data has been breached and there is a real risk to people, they have to do credit

monitoring until the end of 2020, so they will let you know if anybody is trying to access an account that is not yours or access opportunities to get financing for information that is not yours.

As I said at the beginning, this goes to the heart of consumer protection. It is something that I've made, on behalf of my representation of the good people of Beaches—East York and of the province of Ontario, a priority. I think it's really important that not only do we do the general business of the House here, but we do all the infrastructure investments, where we get control of our fiscal responsibilities by balancing the budget, where we invest in transit and hospitals and schools, but where we also try to make people's lives better and easier.

There is nothing more stressful than having to deal with a credit agency which controls your capacity to buy a house, to get a credit card, to get a line of credit. If they've got information on you that isn't true—that it was another person named Speaker, for instance, and then they're denying you because that particular person named Speaker had bad credit, but it is not you; it's this other person named Speaker—well, that's a mistake. You need to be able to go in there and correct it as soon as possible.

I'm very hopeful that my friends opposite—because I know and I am pretty confident my colleagues on this side of the House will be very supportive of this bill, because it does address an important consumer—I know all members in this House have the best interests of Ontarians at heart.

So, Speaker, on that note, I look forward to hearing some debate and responding to the very, very important concerns of the members opposite or the support that they have today.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Mr. Jim McDonnell: I'm pleased to rise today to respond to the bill by the member from Beaches—East York.

I'm not surprised because a lot of what is in the bill already is available. I know that people have asked for their credit rating and received it within two days, but going about it and asking for some clarification, I think that's a worthy part of the bill. It brings in some of the freezes. I'm kind of surprised that he talks about people needing freezes on their credit a number of times a year. He talks about his friends; I'm just wondering what shady neighbourhood he lives in.

It is something that, with the leaks that we have—we talked about the Equifax breach just a short time ago. There needs to be a willingness, or an obligation, to notify people whose privacy information is breached. Credit ratings are very important. I think it would be best handled by talking to their federal cousins to enforce that federally, because that is something that consumers are concerned about across this country.

Credit ratings—it is a very substantial issue these days. We talk about people's ability to pay their bills. Cost of living in this province has skyrocketed over the

last 14 years. I've had people come in and talk about the inability to pay for the hydro bills and having to go to places—we see many on Yonge Street here—where you get your payday loans. They're forced—they're concerned about their credit ratings. This is something where they know that if they miss a date, we're talking about power being disconnected and an extreme bill later on for connection. This government has driven up the cost of living, and there's less money available, so credit is more of an issue in everyday life.

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It's somewhat interesting to talk about the ability to give this information in a very timely manner. I know that we have the Auditor General still waiting for emails from May 31, and 99% of what they requested has not been released by this government. I think it's a little rich that we talk about the need for somebody else to speed up their release of information, because I think it points back to their own records and what the people of Ontario are looking at. We have some concerns, certainly, about where this goes.

In this day of electronic records and emails, I think it's important that information be given out quickly. I think it's important that people are aware of their credit ratings. I think that, now, you can get it up to twice, free of charge, within a couple of days. So I think that a few extra times is not an onus or a heavy requirement. Those things are likely up to date on an ongoing basis, and the information they have at that time could be released.

We hope that maybe this government would look at some of the things it's asking for in this bill, and maybe look at following through on their own credit ratings or their own operations, to reflect more of what's in this bill. The timely release of information, and holding Ontario consumers paramount, is a good target.

I think that when we look at the recent releases just this week and we see the abuses of taxpayer money, there's lots of opportunity to improve, and we're looking for improvements on this side.

I know my colleague here would also like to talk to this bill.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Mr. Percy Hatfield: It is indeed a pleasure to stand here this afternoon, as always, to stand in Ontario's provincial Parliament and speak on behalf of the good people of my riding of Windsor—Tecumseh.

Bill 167 is a private member's bill, introduced by my good friend the member from Beaches—East York. It seeks to amend the Consumer Reporting Act. It sets a timeline of two business days that consumer reporting agencies would have in order to reply to an inquiry from an Ontario resident. If that consumer is asking for a copy of his or her consumer report, the bill provides that it must be provided free of charge.

The other provision in this bill would allow each of us, as consumers, to notify these reporting agencies that we wish to place a security freeze on our file. In other words, we want to block anyone from asking for a look at our personal financial information.

If I could borrow freely from Newton's third law of motion, I would say that for every action, there is a reaction. This bill is a reaction to the action connected to a breach of consumer information stored by Equifax, earlier this year—not that there's anything wrong with that—the bill, I mean, and not the breach at Equifax. Any time the private financial information of more than 140 million people is jeopardized, then we should all sit up and take notice.

I was reading Consumer Reports the other day. There was an article titled "Security Freeze vs. Fraud Alert." Actually, Speaker, in a former life as a union leader, I used to represent the folks at Consumer Reports as an elected board member of the newspaper guild, the international union to which we belonged at the CBC, as did the editors and writers at Consumer Reports through the New York newspaper guild.

This article said that many of us are scrambling, after that security breach at Equifax, to understand the difference between fraud alerts and security freezes. If you place a security freeze on your credit file, it will block most lenders from seeing your credit history. This is the single most effective way to protect ourselves against fraud. This CR article explained that if a prospective lender can't pull your credit report, you won't be issued a new loan, but it also stops identity thieves from establishing fraudulent accounts using our names.

Of course, there is a drawback: Simply put, that security freeze also shuts out most of the companies we may wish to do business with from our personal information as well. That could be our banks, our lending institutions, our credit unions, insurers or telecom companies. That being the case, you would have to lift the freeze temporarily to allow them to have access to verify your accounts. Just to be clear, if you already have an account at a credit union or a bank, they already have access to your credit report, as do certain government agencies and collection agencies.

It gets a little complicated here, but a freeze may be free. It wouldn't cost you anything in some parts of the United States, for example, if you've been a victim of identity theft and you've filed a police report. Otherwise, in the States, you could be expected to pay anywhere from \$2 to \$12 to lift a freeze on a temporary basis at each credit bureau, be it Equifax, Innovis, TransUnion or Experian.

Now, Speaker, let's discuss a fraud alert as opposed to a security freeze. For a fraud alert, you just have to connect with one of the big three—TransUnion, Equifax or Experian—and they will pass it along to the others; the smaller Innovis still needs a direct contract. These fraud alerts are good for 90 days—unless, of course, you've been a victim of identity theft, and then you can have it extended for up to seven years.

Consumer Reports says, "You may be better off with the 90-day alert because that allows you to get a free credit report from each of the four credit bureaus each time you renew the alert.

"With these renewals, you can get 16 free reports per year in addition to the free annual credit report you're

already entitled to...." This "allows you to keep a ... close eye on your file year-round...."

There have been several disturbing incidents involving these credit-monitoring firms this year. Back in January, the CBC reported that Equifax and TransUnion were "fined a total of \$5.5 million US for luring unwitting consumers 'into costly recurring payments for credit-related products with false promises.'" In addition to the fine, the Consumer Financial Protection Bureau ordered the companies "to reimburse consumers for \$17.6 million they shouldn't have been charged" for the services provided.

You've seen the commercials on TV, I'm sure, Speaker, with actors discussing their credit scores and stressing how easy it is to determine your number. Of course, the credit score or number puts you in a classification of either being a good or a bad credit risk, but there are numerous items that should be factored into a complete formula for determining one's credit worthiness. The Consumer Financial Protection Bureau determined that people were being misled if they paid attention to the information being given to them by just one company. Then it ruled that TransUnion and Equifax deceived consumers about just how useful these scores were. Furthermore, they had said these companies made false promises to lure unsuspecting consumers into paying for expensive recurring payments.

This wasn't something that had sprung up overnight. "The agency," according to the CBC, "says TransUnion has been misleading consumers about their actual credit scores since at least 2011. Equifax, meanwhile, was doing the same between 2011 up to 2014."

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So, Speaker, the industry was already on shaky ground, but to top it off, Equifax gets hacked a few months ago. The files stored there were breached last spring and summer, and even though the company knew about it, it wasn't reported until September. More than 140 million private files were breached: names, birthdates, social security numbers, driver's licence numbers—everything you would need to establish a false identity and scam a leading financial institution or, for example, a passport office. On top of that, credit card numbers belonging to more than 200,000 people came into the hands of people who should not have had them. Personal information was also breached for some of us living in Canada and in the United Kingdom.

This bill is meant to protect us here in Ontario. There will be stricter timelines requiring these agencies to respond to us and to update our files. Recently, my wife and I—Gale and I—both had Visa call us and tell us that it was time to get a new Visa card. We asked why and they wouldn't tell us. They wouldn't tell us why except that our information had been breached somehow. So we asked to talk to a supervisor, and it was very difficult to get any information out of them at all, except, finally, a supervisor told us, "Well, there has been a very good chance that your Visa information has been compromised." They would not say it was in Canada, in the United

States, in Toronto or in Windsor. They just warned us that, in our best interests, it was best if we both got new Visa cards, which we've had to do.

So it's interesting, on a side note, Speaker, that this afternoon we're talking about this bill that my friend from Beaches–East York is putting forward, and his successes, as he started off the debate, on standing up for consumer protection. He extolled us with all of the many bills that he has had succeed. I was beginning to wonder if this bill was about him, and only him, or about consumer protection. I'm hoping it's about consumer protection.

Hon. Tracy MacCharles: It's both; it's both.

Mr. Percy Hatfield: Yes, of course. I agree it's inconceivable that these collection agencies get all of our information and then sell it back to us. Aren't they good people, to sell us back our own information?

But it is also curious, I find, Speaker, that my friends on the government side of the House, who have been in power for 14 years, today are standing up to take on the big credit agencies and, as we've seen earlier in the other private member's bill that we've talked about so far, they're standing up to the big insurance companies. Now, I know Halloween is coming, Speaker, and I know that some of us like to dress up on Halloween, but I get the sense today that the Liberals are actually dressing up in their NDP orange and pretending they're the real champions of standing up for the little guy. I get a kick out of that like you wouldn't believe.

But at the heart of this bill, if we are talking about consumer protection and not just the ego of the member, the extra-large ego of the member from Beaches–East York, I would say that the bill does do what should have been done 14 years ago. It should have been done four years ago, and it should have been done yesterday, and it should have been done six months ago. It's good to see that, finally, somebody on the government side of the House—the light bulb clicks on—says, “Hey, an election is coming. We'd better show them that we're going to stand up for the consumers. We're going to stand up and try to protect financial information of all of us in Ontario—not just the most vulnerable citizens, but all of us.”

On that word, my final note is, yes, I think we will be supporting it as well.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Mr. Yvan Baker: It's a pleasure to speak to this piece of legislation from my colleague the member for Beaches–East York. I have to say that I'm supporting this because I think it's a good consumer protection measure, but also because I think the member for Beaches–East York is an excellent member and he has done excellent work. I think his speech was salient—he spoke to consumer protection during his remarks—and I'm proud to support his stance on this issue.

Back in a previous life, my first job out of university was in banking. I used to lend money, primarily to companies. Of course, banks rely on services like Equifax

quite a bit when they extend—whether it's something like a personal loan or a credit card or even a commercial loan. So I'm familiar with the use of these credit reports, certainly from the perspective of a lender or a service provider.

What's interesting is that the frequency with which these reports are being requested actually continues to increase. There are a number of reasons for that. One of them is the greater prevalence of credit-related products. Every time you apply for a credit-related product, one of these reports is requested by the lender.

But it's not always just in the case of credit products that these things are being requested. We can all think of situations where we've had to sign off on a credit check being done, even in situations where we sign a new lease or we go to rent an apartment. The use of these credit reports has become quite widespread, and part of it is because of the growth in credit products and part of it is because they are so easy to access, frankly, with the innovations in digital technology and record-keeping. Therefore, it's all the more important that this data be secure, that it be accurate, and that consumer interests be protected. So I think there are a number of very strong common-sense measures.

When I think about the requirement proposed in the bill that the consumer be allowed to request, free of charge, their own credit report up to five times per year. I think that's important for a number of reasons. First of all, it just allows you to know where you stand, right? A lot of us don't know where we stand. There are companies out there that are promoting this business of providing credit information.

Hon. Tracy MacCharles: For a fee.

Mr. Yvan Baker: For a fee—right—for a fee, as the minister said. Basically the way they sell this product is, they tell you, “Look, you should know where you stand, so pay us to get your information,” right? That, to me, is not in the interest of the consumer. It's not fair to the consumer to live in fear of where their credit stands.

Very often, one's perception of one's credit is very different than the reality. I can't tell you how many clients were reputable, credible business people who came to the bank to borrow money, who had been borrowing with us for years, who had a stellar repayment record, and then when we pulled their credit check, there were errors in it and mistakes due to identity confusion, for a bunch of reasons. So it's important to know where you stand, and I think that that makes common sense.

It also allows you to correct things as you go. You don't discover that there is an error when you go to apply for a credit card or a loan, and you get rejected because of some sort of mistake in your credit record. I really think that's a good measure.

I think another good measure here is the security freeze in the consumer's file. Every time a credit file gets checked, that affects your credit rating. That's an important thing for people to know. Every time you apply for a credit card, every time someone checks your credit file, that can actually affect your credit rating—just the check,

not necessarily the acquisition of a credit card or a loan. Being able to put a freeze on it will protect people from this sort of thing as well. I think that's a very important thing for consumers to know.

Having to respond in a timely fashion, that requirement—I think that's just good customer service. If it's not being done already, I think it makes sense that it be done again.

So I think there are a number of things here that are related to greater customer service and protecting consumers' interests. This is really important. It's continuously a more important space for us to protect consumers, so I'm proud of the member from Beaches–East York for introducing this and I'm proud to support his legislation.

The Deputy Speaker (Ms. Soo Wong): Further debate.

Mr. Bill Walker: It's a pleasure to speak today to Bill 167, the Fairness in Consumer Reporting Act. I generally agree with the bill. I think my colleagues generally agree with the bill. I want to acknowledge my colleague from Stormont–Dundas–South Glengarry, who has done a great deal of work in the whole consumer protection file—Jim McDonnell. He does a great job and keeps us, as a caucus, informed of the various pieces of legislation that need updating, and what we're doing out there.

The recent Equifax breach, where millions of United States, United Kingdom and an undisclosed number of Canadian consumers' personal information was hacked, was definitely a wake-up call about the need to do better to protect consumers and their privacy. Firstly, the fact that the cyber attack happened to Equifax, which is a credit-monitoring company we expect to always safeguard our personal information, is astounding. But we know that there are people out there, the nefarious types, who are trying to do those negative things and be harmful. I've always wondered why people who are that bright, and can break in and hack something like that, can't put their time and energy into something like breaking the code for a cancer cure or doing something with our health care system that's a positive, instead of all these negatives that really have an impact on people's lives.

1500

If your credit rating is impacted by this hack, then that can have repercussions for people even in their day-to-day living. It has an impact on their bank accounts; it has an impact on their ability to purchase things, on their mortgages and all of those types of things. It has such a huge impact. That ripple effect takes time and energy that people have to spend that could be put to a more positive use.

Secondly, the breached data is believed to have included names, addresses and social insurance numbers, which are the key to most of us, frankly. I was in the Armed Forces for a period, doing basic training, and I'll tell you, that was the only thing I was really known by. So I today can state that number off the top of my head; it's one of the few numbers that I have with me at all

times. It scares me to know that other people have that, because that is fundamental to who you are. They can then take those numbers and use them against you, particularly if your credit card numbers are hacked and they have access to that. They can steal that victim's identity and fraudulently open a credit account in that person's name. Again, the stress and the anxiety—if there's a \$10,000 bill on my credit card, I can tell you the stress and anxiety when my wife opens up that bill and wonders what I've been buying, if it's not something like a trip to Hawaii for her. Those are always alarming things for all of us.

Finally, the fact that no one knows how many victims there are, or how long they'll be at risk of identity theft, is very concerning. It prohibits them from making important decisions in regard to securing credit for other important life purchases. We just talked earlier today about life insurance and those types of things. People are trying, because of the state that they find themselves in nowadays, to find all kinds of different accesses to resources to live comfortably in their life, like that life insurance bill—the life settlements bill—we just talked about.

Considering that Equifax plays such an important role in determining our financial future as well as safeguarding sensitive personal information, we as consumers should have the right to know if our personal information was compromised and the steps we should take in order to protect ourselves. That's one of the big things I think the general public out there wants to know. We're going online with all kinds of things. Again, it's a generational thing. The young, wonderful pages in front of you, they'll do everything on these phones—in fact, most of them probably already do—and you wonder what will happen in 10 years. All of that data is in that device. All of that data for your whole life is somewhere in that electronic world, so we definitely want—I think all consumers want—to have the comfort and the trust of being safeguarded.

There are ways to do that. We use things like encryption. If you think of BlackBerry and RIM in Waterloo—my colleague Michael Harris's riding of Kitchener–Conestoga—that technology still is the best out there to be able to talk peer to peer. It's encrypted and people can't hack into it—or at least they haven't figured out ways to yet.

I'll go back to the bill. For these reasons, the Equifax cybersecurity breach ranks among the worst to date, but it follows similar breaches at Yahoo, eBay and LinkedIn, and all these privacy disasters shed light on the existing flaws in consumer protection. It's challenging for those companies, because there's always some nefarious type out there trying to break in and hack and do these negative things, as opposed to applying good.

Bill 167 promises to extend privacy measures for consumers, but to be honest, I don't know if that will be enough. What's proposed in the bill is to compel the credit reporting companies to provide a consumer's credit file to the consumer free of charge, to answer consumer

inquiries within two business days, and to allow consumers the option of placing a security freeze on their credit file.

The reason I question if it will be enough is because consumers already have the right to access their credit file twice a year for free from every reporting agency, and they can already place a security notice on their credit files, which would make it more difficult for anyone—including themselves—to secure credit without a more attentive verification of the person's identity.

As my colleague the MPP for Stormont-Dundas-South Glengarry, Jim McDonell, suggested, reporting companies could improve their customer service and online access, but this bill actually does not even mention these aspects. Neither does this bill do anything to help consumers get answers when a privacy breach is suspected. I think that is something that we should always have foremost in our minds: accountability and transparency. There should be a protocol that I will be told within X-Y-Z hours, or a day, 24 hours—whatever the case may be—and there should be no compelling reason why that can't happen so that you know exactly what the situation in your life is.

In Ontario and other Canadian provinces, there exists no mandatory requirement for private sector entities to report in regard to a potential or actual privacy breach. I think that is something that should be addressed in this bill. It certainly should come up at committee, so that that is added as an amendment. There should be very strict protocols on everyone and they should be consistent and standard, not only for Ontario but across the great country of Canada, so that everyone is playing by the same rules.

I think the members on the other side have a great opportunity to push for federal regulations to be put through to ensure consumers are better protected and prepared in future cases of security breaches. The last Conservative federal government passed changes to privacy legislation that would make such disclosures mandatory.

I would ask respectfully that this government push just as hard against the federal Liberal cousins that they have and the Prime Minister of today, as they would if it was Prime Minister Harper who was still there, and the Conservatives. I can guarantee you, Madam Speaker, that if this was happening under his watch, they would be standing over there, screaming from the rafters about him not complying and not doing a thing to protect consumers. I am going to put that little challenge out to them.

I'm going to leave my last few seconds to things that continually get asked of me. When we have a bill like this, people on the street will come up to me and say, "Isn't it interesting that the Liberals are asking you about something like consumer protection for breaches of privacy and yet they spent a billion dollars for eHealth," for which we have nothing to show. They spent millions of dollars on a diabetes registry and yet there's nothing to show for it. All that same type of thing is in there from a

perspective of privacy, and we want to have that security and integrity in the system.

I think the government could and should be doing more to prevent future security breaches and access to critical consumer information. It's essential that we educate Canadians on their rights to a variety of privacy measures. I hope, at the end of the day—again, I'm going to support. I applaud. I think there are ways—

Hon. Michael Coteau: Say you're supporting it.

Mr. Bill Walker: I'm going to support, yes. Yes, but I'm going to leave that challenge for them to push the federal government to actually enact the regulations that are at their disposal.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Hon. Tracy MacCharles: I want to thank the member for Beaches-East York for bringing forward important issues relating to consumer credit-reporting agencies. It's the second great consumer bill of the afternoon here at Queen's Park. He has a great track record of raising consumer protection issues.

It's private members' bills like this—from wherever they come, whatever party—that really enhance consumer protection. They build consumer confidence. They build on legislation that we already have to protect consumers here in the province. They build on legislation that I just introduced recently, if passed.

We have Bill 166 and that is focused on giving more protection for consumers with respect to home warranties, stronger rules in real estate, protecting consumers in buying travel services, and also preventing ticket fraud and excessive markups when it comes to buying tickets in the resale market. All of these things—in addition to existing legislation we have under the Consumer Protection Act, in addition to other legislation we introduced, such as rules relating to regulating home inspectors or door-to-door marketing sales and how we regulate payday loans—work together to work in the best interests of Ontarians and consumers.

This bill is very specific in terms of requiring credit-reporting agencies to respond to a consumer inquiry no later than two business days after getting that inquiry, and that a consumer can request agencies to provide a copy of a person's consumer report free of charge. We heard from another member how that is often an expensive thing to do. There are companies making money on the backs of consumers who want these kinds of reports.

The other part of this bill, which I think is very good and unique, is that it requires that the consumer be provided the report in the form of the consumer's choosing. Of course, as the minister for accessibility, I also say it's important that we get the right formats for these things to make sure they are compliant with our accessibility legislation here in Ontario.

As always, when we introduce bills in this House, whether it's consumer protection or other things, it is important that we discuss and look at how the details of compliance and enforcement will work. It's always

important to address those up front. I know the member has been working very closely with my office to think about how to bring this bill to life. I'm hoping this bill will enjoy the support of the House and that those kinds of details can be discussed.

I think it has been mentioned but is worth reinforcing that Ontarians should get the same kinds of benefits as those given in other types of jurisdictions affected by these credit issues.

1510

We have talked here about the recent data breach at Equifax. I think this is timely. It's a super-timely bill and very worthy of the debate this afternoon.

Again, I want to congratulate the member from Beaches–East York for bringing forward another fantastic bill, and I look forward to the votes this afternoon.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Mr. Mike Colle: I wanted to speak briefly to Bill 167. Again, the member from Beaches–East York is not afraid to take on these big guys, and we're talking about a big multinational mega-corporation, Equifax. I forget now who the parent company is. Essentially, this is an interesting business: They get your personal information, then they sell your personal information, then they charge you for getting back your personal information, your credit score. What a great business.

The NDP support this company too, like they supported the insurance companies, I guess. But this is crazy, that we have never challenged Equifax for what they do. They are a giant megamonopoly; they basically control all of our credit information, and we have to pay them.

Then they've got this other great little scam, where if you want to get updates on people who are accessing or doing something nefarious to your credit, they charge you 19 bucks a month. They promote that on websites all over the place, and then poor people sign up. I remember they were doing "Protect against identity theft," and they did "Protect your credit score." Then they get you another way, for 19 bucks. Can you imagine, if millions of people pay that 19 bucks a month—which they do—the profits that go into Equifax? This is a giant money-making machine.

Then, to top it all off—and I guess the NDP believe this too—in July there was the massive multi-million-dollar breach of their data, a big breach at the end of July. Well, do you know what happened? They found out that the CEOs, the top guys at Equifax, the friends of the NDP, sold their shares. Then Equifax issues a press release—and the NDP believed it—that said, "Oh, we didn't know that there was a breach." Give me a break. And the NDP bought it. They said, "Oh, yes, we believe the CEOs of Equifax. They didn't know there was a breach. It was just coincidence that they sold their shares a week after the breach."

Give me a break. This is what the NDP believe. They believe these multinational—

Interjection.

The Deputy Speaker (Ms. Soo Wong): Order.

Mr. Mike Colle: The member from Whitby–Ajax knows that.

This is a bill that deals with a massive conglomerate that controls all of our credit information and makes hundreds of millions of dollars from it. The member is trying to put in some checks, some balances, some protections for people in there, so that you may be able to access—God forbid—five free credit scores.

If you go on the website and try to get your credit score—have you ever tried, Madam Chair, to get your credit score? Well, they want your credit card number, and then you have to wait and go through all of these hoops so they can scam you again and sell off your credit card number, I'm sure, to someone else down in Russia or somewhere.

Anyway, I commend the member for standing up and doing something that I think is needed. Good for him for speaking out and coming forward with this good, solid bill.

The Deputy Speaker (Ms. Soo Wong): I will return to the member from Beaches–East York to wrap up.

Mr. Arthur Potts: Thank you very much to the members opposite and on my side of the House. I thank the member for Stormont–Dundas–South Glengarry and the member for Bruce–Grey–Owen Sound for their comments, and particularly my good friend the member for Windsor–Tecumseh. He speaks a lot about the fact that we've had all this time to do it and we're now getting around to it. He seems to forget that I've only been here for three years, and our beloved Premier has only been in charge for four years, and in that short time the amount of things we've accomplished is fantastic. I very much appreciate it.

Of course, my great friend the member for Etobicoke Centre and the member for Eglinton–Lawrence—I appreciate their support and their accolades. They are true mensches in the most profound sense of the word.

I appreciate their support and their accolades. They are true mensches in the most profound sense of the word.

A bill like this doesn't just happen overnight, and I want to thank particularly the Minister of Government and Consumer Services for the support that she showed when it came forward to her and her ministry, and her staff Alex Crombie and Andrew Lang for the excellent work that they did in guiding me along in this process.

Of course, particularly, I want to thank my own staff: Dave Bellmore, who works with me in the ministry's office of environment and climate change; Steve Crombie, who is my legislative assistant—he bounces between my constituency and here—and Tom McGee, who runs my constituency office. We brainstormed over this. We tried to find something that was meaningful to the community, that was meaningful to Ontarians, and that would resonate with the residents of Beaches–East York. Through various iterations of the bill, they all had input into it, and I'm absolutely pleased and delighted that we've had a chance to bring this forward.

I appreciate the—what I believe I'm hearing—support on all sides of the House. I am very grateful for that.

The Deputy Speaker (Ms. Soo Wong): We will vote on this item at the end of private members' public business.

PUTTING YOUR BEST FOOT
FORWARD ACT, 2017

LOI DE 2017 POUR PARTIR DU BON PIED

Mrs. Martins moved second reading of the following bill:

Bill 168, An Act to amend the Occupational Health and Safety Act with respect to footwear / Projet de loi 168, Loi modifiant la Loi sur la santé et la sécurité au travail en ce qui concerne les chaussures.

The Deputy Speaker (Ms. Soo Wong): Pursuant to standing order 98, the member has 12 minutes for her presentation.

Mrs. Cristina Martins: I rise today to speak to my bill, the Putting Your Best Foot Forward Act, 2017.

Over the past 14 years, our government has made strides to make the workplace more fair, equal and safe for all Ontarians. Since 2004, we have more than doubled the number of occupational health and safety inspectors. Additionally, we launched the highly effective Safe At Work Ontario inspection strategy to ensure that measures laid out by the Occupational Health and Safety Act are actually being enforced.

We have worked hard to make sure that the health and safety of every Ontarian is a priority and that fairness in the workplace means more than good rhetoric but real actions. We also know that we can be and should be always doing more to ensure that work is safe and fair in our province.

We have heard stories for years now from women across the country and across this province who have suffered workplace injuries because of policy mandating that employees wear high heels. In fact, this issue was brought to my attention by members of my staff earlier this year who have worked in a number of restaurants, bars and other hospitality jobs. They shared their own experiences and the experiences of their co-workers, stories of sprained and broken ankles, of bleeding and blistered feet, and that this is happening in everything from fine dining to dive bars.

I want to take a moment here to thank Alexander Byrne-Krzycki and Pax Layla Gale-Santos for sharing these stories with me, because those stories are what made me realize that we need to act to protect these workers.

We know that inappropriate, unsafe footwear, like high heels, comes with a slew of health risks. This goes beyond the fact that these shoes can be uncomfortable; they are dangerous. Madam Speaker, this isn't just conjecture and complaints. We have the science to back it up. In 2016, a study published by BioMed Central Public Health reviewed a total of 506 unique records, 27 full-text publications and screened 20 publications. The study found that there is clear evidence that there is an associa-

tion between women who wear high heels and hallux valgus, musculoskeletal pain, first-party injury and osteoarthritis.

But it doesn't end there. We have studies that have shown an association between leg swelling, chronic muscle shortening and damage to tendons from long-term use. With this information, it is no wonder that Dr. James Hill, president of the Ontario Podiatric Medical Association, says, "Podiatrists treat foot pain and deformities in women twice as often as foot disabilities in men."

1520

With this information, we know there is no shortage of reasons for why high heels are unsafe workplace footwear, and continuing to allow companies to mandate they be worn by employees is antithetical to safety and equality in the workplace. These dress codes are hurting workers across the province, literally. That is why I introduced the Putting Your Best Foot Forward Act, 2017.

To fix the issue of dress codes that mandate unsafe footwear, the bill amends the Occupational Health and Safety Act to prohibit employers from requiring an employee to wear footwear that is not appropriate to the protection required for their work or that does not allow the employee to safely perform his or her work.

As this House knows, current footwear protections under the Occupational Health and Safety Act deal with confined spaces, construction projects, health care, residential facilities, industrial establishments, mines and mining plants. This ensures that workers who may be susceptible to specific hazards or foot injury are protected by these regulations at their workplaces. There is also a general duty clause for employers under the Occupational Health and Safety Act to take every precaution reasonable for the protection of a worker.

My bill would amend the act to specifically protect all workers from being required by their employers to wear unsafe footwear, such as heels. I made the decision to amend the Occupational Health and Safety Act because it will further enhance protections for employees who are currently suffering from being forced to wear unsafe footwear, specifically high heels, by their employers.

The bill would further codify the protection of workers under the Ministry of Labour's enforcement of the Occupational Health and Safety Act and its regulations. This means that workers would be further protected by the 445 health and safety inspectors who work tirelessly every day across this province to ensure compliance and to ensure workers are protected.

All that said, this bill by no means bans high heels. We want workers to wear whatever makes them feel comfortable and keeps them safe by tackling mandatory heels.

I want to say that over the past several days, I have had an outpouring of support from women and men all across the province in support of this bill. I would like to share a couple of their stories to demonstrate to the House the vital importance of this bill.

After tabling my bill, I received a story from Mireille in Toronto who told me that she had received a

permanent stress fracture in her foot due to poor footwear on the job. I also received a story from Janet, who told me about how her daughter was threatened with job loss if she didn't wear high heels, despite having a note from her doctor detailing her back condition and how that footwear would be damaging to her overall health.

From my riding of Davenport to London, Windsor, Thunder Bay, Sault Ste. Marie and Ottawa, we have heard that this bill needs to be passed. This isn't just an issue at Dufferin and Dundas in my riding, but it's one that is hurting people in Dawson and Deseronto. This is a bill that would improve the lives of workers across our province, and it is time for this Legislature to step up and act.

Madam Speaker, I've laid out the facts, the problem, the solution and the support. The facts are that we, as a government, are proud of our record in protecting the health and safety of Ontario workers. Ontario has one of the best safety records in Canada.

Since 2004, we have more than doubled the number of occupational health and safety inspectors and launched a highly effective Safe At Work Ontario inspection strategy. It's also a fact that, today, we have more than 400 field inspectors visiting workplaces across the province, and it is a fact that those inspectors conducted just under 80,000 visits to over 34,000 workplaces and issued more than 118,000 orders because of non-compliance with Ontario's Occupational Health and Safety Act, and that's just in 2016-17.

But we know there is more that we can do to protect workers, especially from unsafe footwear that is mandated by an employer. We have heard stories from all across this province of unsafe and uncomfortable footwear, and we have the science and the evidence to show that inappropriate footwear, like high heels, can damage feet in the short term and over extended periods of time.

I have shown that we have a solution to the problem with the Putting Your Best Foot Forward Act, 2017. This bill further protects workers and ensures that unsafe footwear in the workplace can be dealt with by the over 400 field inspectors who are highly skilled, exceedingly qualified and protecting our workforce every day.

Madam Speaker, I have shown you the support. I have spoken to people about this issue from Bay Street to the Bay of Quinte, and Ontarians agree that we need to better protect workers. It's time that we all step up and put our best foot forward.

I invite all parties of the House to join me today and help further protect workers across our province. I personally believe that this bill should be a shoo-in, and it is my sincere hope that my colleagues across the aisle agree.

The Deputy Speaker (Ms. Soo Wong): Further debate? I recognize the member from—

Mr. John Yakabuski: Renfrew—

The Deputy Speaker (Ms. Soo Wong): —Renfrew—Nipissing—Pembroke. Sorry.

Mr. John Yakabuski: That's me. Thank you, Speaker. It's still the same.

It's great to join the debate on Bill 168. I think there was a Bill 168 at one time in this place that I didn't necessarily agree with, but this one I do. I commend the member for Davenport for bringing it forward. In some ways, it should be considered redundant that we have to bring this forward.

To be fair, she started out by talking about all of the advancements and all of the things that this government has done since 2004 with regard to occupational health and safety, and all of this and that, when she started her speech. But if this government was truly proactive in this area, she wouldn't have to bring forth this bill, because the government themselves would have ensured that appropriate footwear would be worn, and that you could not be compelled to wear inappropriate footwear.

In British Columbia, when Christy Clark was the Liberal Premier, she made this happen with a simple amendment to the Workers Compensation Act. Why is it taking a private member's bill in Kathleen Wynne's Liberal Ontario to protect—primarily, obviously, mostly women. You wouldn't want to see me stumbling around in a pair of high heels. How uncomfortable they could be in a workplace if you're told you've got to wear them and you've got a four-hour, eight-hour or whatever shift in the food service industry, how it must feel at the end of the day.

Ironically, my wife and I were at a gala on Saturday night for the Pembroke Regional Hospital. My wife used to wear high heels all the time. When she started work—she was working in a secretarial job—she wore high heels at work. She worked in lawyers' offices and stuff like that, and she was wearing high heels all the time. But she doesn't wear them very often anymore because she's a real estate agent. She's outside walking up steps, walking on trails, showing properties. High heels aren't appropriate. They wouldn't be very comfortable and they wouldn't be safe. But she told me on Sunday morning how sore her legs were, just by having worn them, when she's not used to wearing them anymore, at that gala on Saturday evening, particularly if you haven't been wearing them for a while.

If you're forced to wear a particular kind of footwear for your job, you don't have much of a choice. So it's up to the government to protect you and say, "You can't be forced to wear a particular type of footwear on your job." You wouldn't expect people to be wearing high heels in the construction industry. Why should we expect that they can be compelled to wear high heels in the hospital, the food service or the restaurant wait business?

1530

The bill is right. We're going to support the bill, but I do, I think properly, chastise the government—which the member for Davenport believes is so advanced and so forward-thinking—that their ministers have not brought forth legislation themselves, or that the Premier has not brought forth legislation herself, to ensure that women can't be forced to wear a particular type of footwear in the workplace.

Almost as unusual as eclipses of the sun are Toronto Star editorials that are critical of the Liberals, but we

have one here that was in the Sun today—did I say the Sun? I meant the Toronto Star—justifiably criticizing this government for failing to act on this issue. It's absolutely ridiculous that we have to have a private member bringing forth the issue to the floor of this Legislature. It's time for this government, as the headline says, "Time to Walk the Talk." They always talk about how they're protecting the rights of women and making sure that people are not forced to do things they don't want to do. If someone chooses to wear high heels at work, that is their choice. But if you truly want to be legitimate and be able to back what you say, then this shouldn't sit—because this could languish as a private member's bill for months, until the election. If it's not proclaimed, it will die.

If this government truly wants to act and protect women's rights in the workplace, then bring in this legislation themselves.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Miss Monique Taylor: I'm pleased to have the opportunity today to speak to Bill 168, the Putting Your Best Foot Forward Act. I want to start by thanking the member for bringing this debate before the Legislature. I believe it is a timely bill, when we are currently seeing a campaign named #MeToo happening across the country. Women are speaking out against sexual violence and harassment. Women are taking a stand once again to say that we will not be objects to be—ogled?

Mr. John Yakubuski: Oogled.

Miss Monique Taylor: Oogled? I know it sounded really good when I wrote it, but coming out of my mouth is always different—or disrespected, quite frankly. It's something that happens over and over again.

The culture that has happened for many generations has to be tackled head-on. I hope that one day we will see it come to an end.

I'm proud to say that New Democrats will be supporting this bill. I understand that the scope of the bill does not only cover the hospitality industry, but I do know it well, and I will start by speaking to that directly.

As many in this House know, I worked in hospitality for many years, but I was fortunate enough not to have been asked to wear heels to perform my duties. The job consists of a steady, fast-paced environment where we're running from table to table to the wait station to the kitchen and back to the table, over and over again, and it can be completely exhausting. During lunch or a dinner rush, there's rarely an opportunity to stop for a restroom break, never mind a quick snack. Sometimes it's a luxury to be able to catch your breath.

Imagine having to do that in heels. The wear and tear that women feel on their legs and their feet can put them in excruciating pain in the moment and later in the day, as well as later in life. Doing this for years could cause a lifetime of damage. I know the pain that I felt from some of those busy days in proper footwear, so I can't imagine what it would feel like to have to do that in high heels.

James Hill is the president of the Ontario Podiatric Medical Association, and he was quoted as saying that

the wearing of heels causes a "higher incidence of bunions, musculoskeletal pain and injury" than in those who do not wear them.

But, Speaker, the problem isn't just heels. In March of 2016, the Ontario Human Rights Commissioner Renu Mandhane spoke out to remind "employers that requiring women to wear low-cut tops and short skirts, tight dresses or high heels could violate the Human Rights Code."

In March of this year, she published a report—Not on the Menu: Inquiry Report on Sexualized and Gender-based Dress Codes in Ontario Restaurants. I want to thank the commissioner for her work on this problem and for raising awareness on this issue. It is important that women know what is not acceptable and that they have an avenue for complaints.

But, Speaker, women shouldn't have to take a complaint to the Human Rights Commission and go through the whole ordeal of a tribunal. It should be the law, and employers should not be allowed to do it, period. That is what this bill seeks to do, and I'm happy for that, but this bill only addresses one item of clothing—high heels—and that, I think, is unfortunate.

I think an opportunity has been missed to address the much broader problem of sexualized and gender-based dress codes. Women, primarily younger women working in highly precarious settings, are being forced to wear revealing clothing. Their sexuality continues to be exploited by employers in Ontario for the sake of sales and profit. Despite the excellent work of the Human Rights Commissioner, more needs to be done and it needs to be done by this Legislature with meaningful laws to make the practice illegal.

Women in precarious positions can no longer be expected to fight this on their own, as suggested by the minister of women's issues in March of 2016. At the time, the minister told reporters "that she hopes women troubled by dress codes will raise concerns with their bosses but" she had no "plans to take stronger action."

In the report that I mentioned previously, the Human Rights Commissioner pointed out that work in the restaurant industry is precarious. Low wages are common, they rely on tips and have to work part-time hours. Worker vulnerability is increased by the prevalence of sexual harassment and sex discrimination. There is a lack of awareness of human rights laws. Few of them have the benefit of a union to protect their rights. Over one third of the workers are young women under the age of 24. Many are recent immigrants. All of this leads to the fact that, in the words of the report, "Some workers fear reprisal for raising concerns about dress codes and other sexual harassment."

To suggest that the solution for these young women is to speak to their employer is absolutely unacceptable. It is completely divorced from the reality of the nature of the work and the situation of the workers. Yet again, it is clear that this government has absolutely no idea what it is like for people living ordinary lives.

This bill is a step forward. I'm happy to support it, but I am saddened that it doesn't go far enough.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Hon. Indira Naidoo-Harris: I'm honoured to rise today and speak in support of Bill 168, Putting Your Best Foot Forward Act, 2017. I'd like to start by thanking my colleague Cristina Martins, the member from Davenport, for her strong advocacy and hard work on this important issue. MPP Martins is a good friend and colleague, and I'm pleased to speak to her bill today. I'd like to remind members that MPP Martins is a member of our government, and is moving forward with a very important bill.

As a young university student, one of my first jobs was in retail. I was one of tens of thousands of people who work tirelessly in retail, restaurants and hospitals every day, who have to work on their feet day in and out. Let me tell you, it wasn't easy. It wasn't easy to stand for close to eight hours a day in heels. And in those days, where I was working, we were discouraged from taking breaks and sitting down except when we were on lunch or our coffee breaks. The reality was that we were standing much of the time. And I have to say that I was young at the time, and didn't understand or realize what my rights were.

1540

Speaker, the reality is that what women wear to work on their feet has become a safety issue, an equality issue and an empowerment issue. I'm pleased that MPP Martins is moving forward with this, because wearing heels can often lead to falls, calluses and back pain. Let me be clear: What women wear should be their choice. That's why I'm so pleased to speak to this private member's bill. I want to thank MPP Martins again, because I'm proud of what our government is doing on this.

Speaker, as the Minister of the Status of Women, I have ongoing discussions with my colleagues every day, whether it is about the security or the empowerment of women in this province. I speak to the Minister of Finance, Minister Sousa, about our expectations for women in leadership, and to the Minister of Labour, Minister Flynn, about the gender wage gap. I speak to the Minister of Community and Social Services, Minister Jaczek, about a strategy to end human trafficking and gender-based violence, including domestic violence, and I speak to the Minister of Indigenous Relations and Reconciliation about ending violence against indigenous women and girls. I worked with Attorney General Naqvi on proposing legislation for safe access to abortion clinics and the Minister of Health, Minister Hoskins, on free access to the abortion pill.

Today, I rise to support my colleague and friend Cristina Martins and the Putting Your Best Foot Forward Act, which is about making sure that every workplace is safer, more equal and an accessible place for women, because when women lead, they don't need to wear high heels. When women are concerned about their personal safety and health, they don't need to wear high heels. When women are marching in the streets, as thousands of us did a few months back, for equality, they don't need to wear high heels.

Speaker, let me send a clear message to women and to employers: Women are standing their ground. They are fighting for their rights as never before, and they don't need to wear high heels to do it. Women have the right to wear comfortable footwear and to do so without fear of losing their jobs.

The statistics tell us women are more likely to be in precarious work, more likely at minimum wage, more likely to work shifts and part time. That's unacceptable. That's why we are working on these items. That is why we are raising the minimum wage and offering free tuition, so women can retrain and re-enter the workforce. That's why we are offering domestic leave for women exiting violent relationships, and that is why we are working right now on building a woman's economic empowerment strategy, work that I know I am proud of doing.

We know there is more work to do to ensure women can reach their full economic potential. As a government, we know we stand for fair and equal economic opportunities for all women in Ontario. I would like to remind everybody in this House that this is the government that came up with a Ministry of the Status of Women. This is the government that took that bold move. This is the government that is moving forward with this bill today. Others were in power in the past and didn't do it. We are doing it today with this act.

As a government, we stand for fair and equal economic opportunities, because we know the women of Ontario deserve fair and equal opportunities. But they will not be standing in high heels, not unless they choose to do so. Absolutely not, Speaker.

The Deputy Speaker (Ms. Soo Wong): Further debate?

Mrs. Gila Martow: Madam Speaker, I'm so pleased to rise today—yes, I'm standing; I'm a little on the short side. You'll find out why I'm saying that in about a second. We are speaking today about Bill 168, high heels in the workplace, and it is put forward as a private members' bill.

For those who are at home, the government puts forward government bills, obviously, and the rest of us put forward private members' bills, including backbencher government members, which means Liberal members who aren't a minister within the government.

So the question has become a debate here today about this bill. It's quite interesting. I just want to mention that the member from Davenport and I are probably the two shortest, vertically-challenged members of the Ontario Legislature. I would think that if she was putting forward any type of bill to discuss high heels, it would be something like, "Anybody 5 foot 6 and higher should not be allowed to wear high heels, especially in our workplace."

Alas, what we're discussing here is whether employers should be allowed to make it mandatory for their employees who are female to wear high heels. We do discuss here sometimes some interesting topics, and it is an interesting topic, but it really should be part of a

broader discussion about gender-based—what we were calling earlier sexualized—outfits at work that women unfortunately have to deal with far more often than men. It's not just footwear—we've changed Speakers now, so now it's Mr. Speaker. It's not just footwear, Mr. Speaker. It's also short skirts, tight clothing and low-cut tops that can affect women—not just how they feel about themselves, but how they are treated in the workplace by other workers or by customers.

Women shouldn't have to dress a certain way in order to earn a living—I think we all agree with that—and women shouldn't have to feel that they need to wear high heels in a dangerous sort of situation. They are having to climb stairs in high heels. It definitely makes us feel uncomfortable to imagine employers who don't have to wear high heels telling their employees to wear high heels.

There are workplaces that do demand certain types of footwear. There are construction sites where they have to wear construction boots with steel toes. Why is that, Mr. Speaker? It's so that the employees are safer. Imagine that. There are all these rules and regulations about what employees have to wear, from head coverings to covering their toes, in workplaces to make them safer. Yet, here we are, we're having a discussion on the opposite end of the spectrum about employees who are being told they have to wear something that the employers know very well is less comfortable and less safe.

Yes, it's 2017, and it's hard to believe that, in a way, the government has been in power for 14 years, for a while, and they have tried to label themselves a women-friendly government with a lot of women in the cabinet. It is unfortunate, in a way—that's what I was explaining earlier—that this is a private member's bill, because really it could have been put in a piece of government legislation very easily. They didn't have to wait for a private member to bring it forward. I'm guessing that she got the idea because British Columbia banned mandatory high heels last April, and the sky doesn't seem to have fallen on that province in terms of dealing with it in the workplace.

You would think that employees would be able to say to their employer that they don't want to wear high heels, and that would be that. But even if it's made mandatory, Mr. Speaker, what happens? So it's not mandatory, they can't force them, but some employees worry that they're going to get less shifts the next week, or the next month. Employees talk about how they're worried that their tips are going to go down if they don't dress a certain way, act a certain way and wear heels.

I think that there's a broader problem here, and that legislation can go just so far. A lot of the issue has to come from our attitudes within the Legislature, making rules and regulations for the province to abide by, but also how we put forward—the government, with all of us together—the right attitudes for employers. How do we get people to possibly, as the Toronto Star said today, talk the talk and walk the walk?

I'm just going to talk a little bit about it. The Toronto Star brought up that the Ontario Human Rights Com-

mission has raised the issue and they've warned employers that they could be violating the Human Rights Code. They are surprised that the government has not dealt with this until now. They had some strong words about the Minister of Government and Consumer Services not doing enough. We just heard before from the Minister of the Status of Women. They feel that women should have the support of their Legislatures in feeling safe. There's a concern out there that women are more susceptible to sexual harassment in the workplace—again, by colleagues, by employers and by customers—if they are forced to dress or act a certain way.

1550

I just want to quote, very quickly, Julie Lalonde. She's a host of the Third Wave, a feminist radio show, and she's a support worker at the Sexual Assault Support Centre. She says she's a woman and a feminist. She loves high heels. "Against my chiropractor's advice, I own too many pairs of shoes to count and love how they make me feel. You can pry my stilettos from my cold, dead hands. But my shoes are my choice. I wear heels because my job doesn't entail standing on my feet all day or running back and forth across a busy restaurant with heavy plates in each hand. Nobody should be forced to wear high heels and the fact that it's even up for debate in 2017 speaks volumes about women's place in society. How do we expect women to be equal to men?"—

The Acting Speaker (Mr. Paul Miller): Thank you. The member got bonus time there.

The member from Essex.

Mr. Taras Natyshak: I want to thank the member from Thornhill. I was listening. Maybe I'll read that quote after, but the point was well made. I want to thank my colleague the member from Hamilton Mountain for her poignant remarks on this bill.

Coming at this, obviously, from a male perspective, I hope I add something tangible to debate in that I believe that men have a role in admonishing this type of behaviour everywhere we see it in civil society. I commend the member from Davenport for bringing forward this bill.

It's something that, I guess, if you're not in the industry—I have never worked in the hospitality or service industry and I've obviously never been a woman, so I wouldn't know what it is like to be told what to wear, told how to dress and perhaps told how to act. It's that objectification of yourself, of your gender that I think is something that none of us in this House can stand for and all of us should do our utmost to eliminate.

I think this bill takes a step forward in bringing awareness that this actually happens. A lot of folks out there, perhaps, couldn't imagine it. I would imagine that if I knew I was about to enter into a place of business that had this as a mandate or as a code, I would definitely not go in there. I would not frequent it. I wouldn't give them my money because of all the reasons: because of the nature of the sexualisation of our work and society, the objectification of women and our responsibility to do better as a society.

I have had the great opportunity to work with men and women who have dedicated their lives to preventing and

fighting sexual assault, abuse and violence. I have had the opportunity to partake in an event called Walk a Mile in Her Shoes. It challenges men to put on high heels, actually, to walk a mile and to understand not only the physical demands on your body in those crazy shoes that I could never imagine you could wear and function in in any capacity—but I give credit to those who can—but also to feel that people are looking at you and the objectification. I was happy to join Chief Al Frederick from Windsor police one year. We walked in those things and we couldn't make it.

The point there was that what do we do, what are the demands, what are the expectations we put on women to look a certain way, to act a certain way? And what is the response from society, from people when we do that? It's something that I hope this bill addresses. Certainly in the workplace, there is no question that an employer cannot, should not and hopefully will not ever force anyone to wear high heels when, of course, it isn't appropriate and, of course, when that employee doesn't want to.

I want to give a shout-out to all those who have partaken in that exercise and who continue to raise awareness about sexual assault and abuse in our communities, and the great work they do.

My colleague Monique Taylor, the member from Hamilton Mountain, talked about the nature of precarious work. Many times, women in these industries feel as though there are no other options. They do what they are told or else that's it, they won't be employed; there won't be another shift in the next day or the next week. So it's incumbent upon us, again, and the government, to not only look at the nature of precarious work in our communities but to look at enforcement. Because you are proscribing something here that will have a tangible effect.

My hope is that the government acts accordingly and applies the adequate enforcement not only for this proscription but for all the others stresses, strains and demands that are put on workers, whether they be health and safety related or not. That's an enormous part of the nature of labour in our communities that hasn't been addressed. It leads us to discrimination, it leads to oppression, it leads to workplace injuries, and it leads to an overall failure in our economy to protect the most vulnerable.

So, Speaker, I certainly will support this bill. I look forward to it gaining prominence throughout the province, sending that message that this is not acceptable and there is a better way.

The Deputy Speaker (Ms. Soo Wong): Further debate.

Mr. Arthur Potts: It gives me great pleasure to rise in the House to speak to a private member's bill from my colleague here, and to this particular bill.

I want to start by saying that I am absolutely astonished by the line of criticism coming from the official opposition—from the member from Renfrew–Nipissing–Pembroke and then picked up to some extent by the member from Thornhill—that somehow it's not legitim-

ate for backbenchers on the government side of the House to bring a bill of importance to them because the government could have done it. It undermines the respect that we have for each other in this House, that any one of us—sure, the government could have taken this on. But for a member on our side of the House, a backbencher, not a member of cabinet, to be able to pick up on an item—on this particular debate, let's just say that the high heels were stuck in a crack. Because, Speaker, when you think about the incredibly dense legislative agenda we've had since we came in in 2014, this is not about going back to 2003. This is about 2013, when the Premier was elected, took charge and took the reins, and 2014, when she came in with this exemplary majority government.

So I really think you need to back off from that line of criticism. I think it's disrespectful to House, and I think it's also driving a wedge in their own opposition benches. I've seen the tweet from their own leader, where he says, "No monopoly on a good idea"—kudos to the member for Davenport, whereas we're getting criticism from the other side. So I think, on this item, you should listen to your leader and respect what we're doing on this side of the House.

I also want to talk a little bit about our good friend the member of the official opposition, the leader of the second party—soon to be third party, possibly. He and I have something in common in that we're both minority-interest owners in a restaurant.

Mrs. Gila Martow: Point of order.

The Deputy Speaker (Ms. Soo Wong): The member from Thornhill.

Mrs. Gila Martow: I believe we're supposed to be speaking about a bill today, Bill 168, high heels. I haven't even heard the member opposite—he's been speaking for over a minute and hasn't even mentioned the bill.

The Deputy Speaker (Ms. Soo Wong): That's not a point of order.

I return to the member from Beaches–East York.

Mr. Arthur Potts: I'm getting exactly to it. The Leader of the Opposition owns a bar, as do I, a minority interest in a bar. I can tell you that in our restaurant, we don't require any server, male or female, to wear high heels. But we do require a dress code. So let's be very clear: Dress codes are permitted. You need to allow people to have dress codes to send a certain image off to the customer base. The issue here is not sexualizing the dress code, making it gender-neutral, and not having the footwear be unsafe.

As we do in construction, there's a positive obligation on an employer to ensure employees are safe. Having a worker in a restaurant who is going back and forth, as the member from Hamilton Mountain talked about—it's fast. I prefer my staff to be able to be fleet of foot because they can serve more drinks.

The Deputy Speaker (Ms. Soo Wong): Further debate.

Hon. Mitzie Hunter: I just really have to rise in the House today to speak to Bill 168, the Putting Your Best

Foot Forward Act. I want to recognize the member from Davenport for speaking up on this important issue. It's very, very timely. Yesterday we celebrated Persons Day, the day when women became persons in this province and in this country: 1929. It really shows you that unless we stand up for the rights of people in this province and in this country—we can't take them for granted.

1600

Sometimes there are things that look very obvious to us. Why do you have to have legislation to prohibit requiring women to wear high heels to work? It doesn't seem as if it's something that you should have to do. It doesn't seem as if that should be necessary. But do you know what? It is necessary. There are workplaces and places that require women to wear high heels to provide a service, and that doesn't seem fair. It doesn't seem that that is the kind of equity in the workplace that you would want or would expect.

I want to commend the member from Davenport for recognizing this as a challenge in Ontario and putting forward this bill to eliminate the need for women to be put in that situation or that circumstance. Imagine if someone has a back problem or for some reason cannot meet those requirements. They would have to either not perform that particular task and limit their choices, or look for a reason to appeal to the will of the employer. That doesn't seem fair. It doesn't seem as if that is necessary.

In the week of Persons Day, I'm standing today in my flat shoes in support of this bill, which is all about equity. It's all about the dignity of individuals and the human rights of individuals. A woman should be able to wear whatever she would like to wear. It seems very, very obvious, just like it's obvious that women are persons, but at some point we had to put that in law, and then have all of the rights and privileges that come along with it. This bill, while it is obvious, is not happening in certain parts of our workplaces and our communities, and it's just not fair.

I support this bill. I hope all members in the Legislature will support it.

The Deputy Speaker (Ms. Soo Wong): I return to the member from Davenport to wrap up.

Mrs. Cristina Martins: I want to start off by thanking the members from Renfrew–Nipissing–Pembroke and Hamilton Mountain, the Minister of the Status of Women, the member from Thornhill, the member from Essex, the member from Beaches–East York and the Minister of Education for weighing in on this debate this afternoon and thank you all for your comments.

I do want to make reference to a few things here. I wanted to start off with what the member from Essex commented on, and the excellent male perspective that he took when he weighed in on this bill. I'm going to use the word he used in his two minutes or whatever amount of time you used to speak: We need to admonish the behaviour of men, and we need to change how we approach different situations in society, and our attitudes sometimes need to change.

As surprised as he was that this still exists—someone else commented that it is 2017; how can we still have workplaces that mandate high heels? These are the exact kind of comments that I was getting all week. People are astonished that we still have today, in 2017, workplaces that are mandating the wearing of high heels, which translates, in many workplaces, to unsafe footwear.

We want to make sure that we have conditions in the workplace that are safe. That is exactly what I'm trying to do here with my bill today, the Putting Your Best Foot Forward Act. I hope to have the support of everyone here today. It sounds like this really is a shoo-in, and that we are ready to step up to this bill and support it, because we need to ensure that we have a fair and equal workplace.

The Deputy Speaker (Ms. Soo Wong): The time allocated for private members' public business has expired.

INSURANCE AMENDMENT ACT (LIFE SETTLEMENTS), 2017

LOI DE 2017 MODIFIANT LA LOI SUR LES ASSURANCES (RACHATS DE POLICES D'ASSURANCE-VIE)

The Deputy Speaker (Ms. Soo Wong): We will deal first with ballot item number 1, standing in the name of Mr. Colle.

Mr. Colle has moved second reading of Bill 162, An Act to amend the Insurance Act to authorize life settlements. Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

The Deputy Speaker (Ms. Soo Wong): Congratulations. I'm going to turn to the member to identify which committee.

Mr. Mike Colle: I'd like the bill to go to the Committee of the Whole House.

The Deputy Speaker (Ms. Soo Wong): Agreed? And we agree.

FAIRNESS IN CONSUMER REPORTING ACT, 2017

LOI DE 2017 SUR L'ÉQUITÉ DANS L'APPLICATION DE LA LOI SUR LES RENSEIGNEMENTS CONCERNANT LE CONSOMMATEUR

The Deputy Speaker (Ms. Soo Wong): Mr. Potts has moved second reading of Bill 167, An Act to amend the Consumer Reporting Act. Is it the pleasure of the House that the motion carry? I hear "carried."

Second reading agreed to.

The Deputy Speaker (Ms. Soo Wong): I'm going to turn to the member to identify which committee.

Mr. Arthur Potts: Justice policy committee.

The Deputy Speaker (Ms. Soo Wong): Agreed? I heard "agreed." Congratulations.

PUTTING YOUR BEST FOOT
FORWARD ACT, 2017

LOI DE 2017 POUR PARTIR DU BON PIED

The Deputy Speaker (Ms. Soo Wong): Mrs. Martins has moved second reading of Bill 168, An Act to amend the Occupational Health and Safety Act with respect to footwear. Is it the pleasure of the House that the motion carry?

I hear a no. I'm going to hear again.

All those in favour of the motion, please say "aye."

All those opposed, please say "nay."

I hear "agreed." Carried.

Second reading agreed to.

The Deputy Speaker (Ms. Soo Wong): I'm going to turn to the member to identify which committee.

Mrs. Cristina Martins: Regulations and private bills.

The Deputy Speaker (Ms. Soo Wong): Agreed? Agreed.

Orders of the day. I recognize the Minister of Citizenship and Immigration.

Hon. Laura Albanese: I move adjournment of the House.

The Deputy Speaker (Ms. Soo Wong): The minister has moved adjournment of the House. Agreed? I hear "agreed".

The House will be adjourned until Monday, October 23, at 10:30 a.m.

The House adjourned at 1607.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. Elizabeth Dowdeswell, OC, OOnt.

Speaker / Président: Hon. / L'hon. Dave Levac

Clerk / Greffier: Todd Decker

Deputy Clerk / Sous-greffier: Trevor Day

Clerks-at-the-Table / Greffiers parlementaires: Tonia Grannum, Valerie Quioc Lim, William Short

Sergeant-at-Arms / Sergente d'armes: Jacquelyn Gordon

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Albanese, Hon. / L'hon. Laura (LIB)	York South–Weston / York-Sud–Weston	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Anderson, Granville (LIB)	Durham	
Armstrong, Teresa J. (NDP)	London–Fanshawe	
Arnott, Ted (PC)	Wellington–Halton Hills	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Bailey, Robert (PC)	Sarnia–Lambton	
Baker, Yvan (LIB)	Etobicoke Centre / Etobicoke-Centre	
Ballard, Hon. / L'hon. Chris (LIB)	Newmarket–Aurora	Minister of the Environment and Climate Change / Ministre de l'Environnement et de l'Action en matière de changement climatique
Barrett, Toby (PC)	Haldimand–Norfolk	
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, James J. (LIB)	St. Catharines	Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Brown, Patrick (PC)	Simcoe North / Simcoe-Nord	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Campbell, Sarah (NDP)	Kenora–Rainy River	
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of International Trade / Ministre du Commerce International
Chiarelli, Hon. / L'hon. Bob (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Infrastructure / Ministre de l'Infrastructure
Cho, Raymond Sung Joon (PC)	Scarborough–Rouge River	
Clark, Steve (PC)	Leeds–Grenville	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle Deputy Leader, Official Opposition / Chef adjoint de l'opposition officielle
Coe, Lorne (PC)	Whitby–Oshawa	
Colle, Mike (LIB)	Eglinton–Lawrence	
Coteau, Hon. / L'hon. Michael (LIB)	Don Valley East / Don Valley-Est	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Anti-Racism / Ministre délégué à l'Action contre le racisme
Crack, Grant (LIB)	Glengarry–Prescott–Russell	
Damerla, Hon. / L'hon. Dipika (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Seniors Affairs / Ministre des Affaires des personnes âgées
Del Duca, Hon. / L'hon. Steven (LIB)	Vaughan	Minister of Transportation / Ministre des Transports
Delaney, Bob (LIB)	Mississauga–Streetsville	
Des Rosiers, Nathalie (LIB)	Ottawa–Vanier	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	
Dong, Han (LIB)	Trinity–Spadina	
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Economic Development and Growth / Ministre du Développement économique et de la Croissance
Fedeli, Victor (PC)	Nipissing	
Fife, Catherine (NDP)	Kitchener–Waterloo	
Flynn, Hon. / L'hon. Kevin Daniel (LIB)	Oakville	Minister of Labour / Ministre du Travail
Forster, Cindy (NDP)	Welland	
Fraser, John (LIB)	Ottawa South / Ottawa-Sud	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
French, Jennifer K. (NDP)	Oshawa	
Gates, Wayne (NDP)	Niagara Falls	
Gélinas, France (NDP)	Nickel Belt	
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / Ministre du Développement du Nord et des Mines
Gretzky, Lisa (NDP)	Windsor West / Windsor-Ouest	
Hardeman, Ernie (PC)	Oxford	
Harris, Michael (PC)	Kitchener–Conestoga	
Hatfield, Percy (NDP)	Windsor–Tecumseh	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Hoggarth, Ann (LIB)	Barrie	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Hon. / L'hon. Eric (LIB)	St. Paul's	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Hunter, Hon. / L'hon. Mitzie (LIB)	Scarborough–Guildwood	Minister of Education / Ministre de l'Éducation
Jaczek, Hon. / L'hon. Helena (LIB)	Oak Ridges–Markham	Minister of Community and Social Services / Ministre des Services sociaux et communautaires
Jones, Sylvia (PC)	Dufferin–Caledon	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Kiwala, Sophie (LIB)	Kingston and the Islands / Kingston et les Îles	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Hon. / L'hon. Marie-France (LIB)	Ottawa–Orléans	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
Leal, Hon. / L'hon. Jeff (LIB)	Peterborough	Minister of Francophone Affairs / Ministre des Affaires francophones Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales Minister Responsible for Small Business / Ministre responsable des Petites Entreprises
Levac, Hon. / L'hon. Dave (LIB)	Brant	Speaker / Président de l'Assemblée législative
MacCharles, Hon. / L'hon. Tracy (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	Minister of Government and Consumer Services / Ministre des Services gouvernementaux et des Services aux consommateurs Minister Responsible for Accessibility / Ministre responsable de l'Accessibilité
MacLaren, Jack (IND)	Carleton–Mississippi Mills	
MacLeod, Lisa (PC)	Nepean–Carleton	
Malhi, Harinder (LIB)	Brampton–Springdale	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Mantha, Michael (NDP)	Algoma–Manitoulin	
Martins, Cristina (LIB)	Davenport	
Martow, Gila (PC)	Thornhill	
Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London- Centre-Nord	Chair of Cabinet / Présidente du Conseil des ministres Deputy Premier / Vice-première ministre Minister of Advanced Education and Skills Development / Ministre de l'Enseignement supérieur et de la Formation professionnelle Minister Responsible for Digital Government / Ministre responsable de l'Action pour un gouvernement numérique Minister of Municipal Affairs / Ministre des Affaires municipales
Mauro, Hon. / L'hon. Bill (LIB)	Thunder Bay–Atikokan	
McDonell, Jim (PC)	Stormont–Dundas–South Glengarry	
McGarry, Hon. / L'hon. Kathryn (LIB)	Cambridge	Minister of Natural Resources and Forestry / Ministre des Richesses naturelles et des Forêts
McMahon, Hon. / L'hon. Eleanor (LIB)	Burlington	Minister of Tourism, Culture and Sport / Ministre du Tourisme, de la Culture et du Sport
McMeekin, Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	
McNaughton, Monte (PC)	Lambton–Kent–Middlesex	
Milczyn, Hon. / L'hon. Peter Z. (LIB)	Etobicoke–Lakeshore	Minister of Housing / Ministre du Logement Minister Responsible for the Poverty Reduction Strategy / Ministre responsable de la Stratégie de réduction de la pauvreté

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du comité plénier de l'Assemblée législative
Moridi, Hon. / L'hon. Reza (LIB)	Richmond Hill	Minister of Research, Innovation and Science / Ministre de la Recherche, de l'Innovation et des Sciences
Munro, Julia (PC)	York–Simcoe	
Naidoo-Harris, Hon. / L'hon. Indira (LIB)	Halton	Minister of the Status of Women / Ministre de la condition féminine Minister Responsible for Early Years and Child Care / Ministre responsable de la Petite enfance et de la Garde d'enfants
Naqvi, Hon. / L'hon. Yasir (LIB)	Ottawa Centre / Ottawa-Centre	Attorney General / Procureur général Government House Leader / Leader parlementaire du gouvernement
Natyshak, Taras (NDP)	Essex	
Nicholls, Rick (PC)	Chatham–Kent–Essex	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du comité plénier de l'Assemblée législative
Oosterhoff, Sam (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	
Pettapiece, Randy (PC)	Perth–Wellington	
Potts, Arthur (LIB)	Beaches–East York	
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Romano, Ross (PC)	Sault Ste. Marie	
Sandals, Hon. / L'hon. Liz (LIB)	Guelph	President of the Treasury Board / Présidente du Conseil du Trésor
Sattler, Peggy (NDP)	London West / London-Ouest	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Mario (LIB)	York West / York-Ouest	
Singh, Jagmeet (NDP)	Bramalea–Gore–Malton	Deputy Leader, Recognized Party / Chef adjoint de parti reconnu
Smith, Todd (PC)	Prince Edward–Hastings	
Sousa, Hon. / L'hon. Charles (LIB)	Mississauga South / Mississauga-Sud	Minister of Finance / Ministre des Finances
Tabuns, Peter (NDP)	Toronto–Danforth	
Takhar, Harinder S. (LIB)	Mississauga–Erindale	
Taylor, Monique (NDP)	Hamilton Mountain	
Thibeault, Hon. / L'hon. Glenn (LIB)	Sudbury	Minister of Energy / Ministre de l'Énergie
Thompson, Lisa M. (PC)	Huron–Bruce	
Vanthof, John (NDP)	Timiskaming–Cochrane	
Vernile, Daiene (LIB)	Kitchener Centre / Kitchener-Centre	
Walker, Bill (PC)	Bruce–Grey–Owen Sound	
Wilson, Jim (PC)	Simcoe–Grey	Opposition House Leader / Leader parlementaire de l'opposition officielle
Wong, Soo (LIB)	Scarborough–Agincourt	Deputy Speaker / Vice-présidente
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Première ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Yurek, Jeff (PC)	Elgin–Middlesex–London	
Zimmer, Hon. / L'hon. David (LIB)	Willowdale	Minister of Indigenous Relations and Reconciliation / Ministre des Relations avec les Autochtones et de la Réconciliation
Vacant	Toronto Centre / Toronto-Centre	

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Standing Committee on Estimates / Comité permanent des budgets des dépenses

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Vice-Chair / Vice-président: Michael Mantha
Mike Colle, Nathalie Des Rosiers
Cheri DiNovo, Michael Harris
Ann Hoggarth, Sophie Kiwala
Michael Mantha, Arthur Potts
Todd Smith
Committee Clerk / Greffier: Eric Rennie

**Standing Committee on Finance and Economic Affairs /
Comité permanent des finances et des affaires économiques**

Chair / Présidente: Ann Hoggarth
Vice-Chair / Vice-président: Han Dong
Yvan Baker, Toby Barrett
Mike Colle, Han Dong
Victor Fedeli, Ann Hoggarth
Harinder Malhi, Cristina Martins
John Vanthof
Committee Clerk / Greffier: Eric Rennie

**Standing Committee on General Government / Comité
permanent des affaires gouvernementales**

Chair / Président: Grant Crack
Vice-Chair / Vice-président: Granville Anderson
Granville Anderson, Yvan Baker
Grant Crack, John Fraser
Lisa Gretzky, Julia Munro
Lou Rinaldi, Lisa M. Thompson
Soo Wong
Committee Clerk / Greffière: Sylwia Przedziecki

**Standing Committee on Government Agencies / Comité
permanent des organismes gouvernementaux**

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Vice-Chair / Vice-présidente: Daiene Vernile
Granville Anderson, Lorenzo Berardinetti
James J. Bradley, Wayne Gates
Cristina Martins, Sam Oosterhoff
Randy Pettapiece, Shafiq Qadri
Daiene Vernile
Committee Clerk / Greffière: Sylwia Przedziecki

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la justice**

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Vice-Chair / Vice-président: Lorenzo Berardinetti
Lorenzo Berardinetti, Nathalie Des Rosiers
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Arthur Potts, Shafiq Qadri
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permanent de l'Assemblée législative**

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Robert Bailey, James J. Bradley
Joe Dickson, Sophie Kiwala
Amrit Mangat, Michael Mantha
Monte McNaughton, Laurie Scott
Soo Wong
Committee Clerk / Greffier: William Short

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Vice-Chair / Vice-présidente: Lisa MacLeod
Bob Delaney, Vic Dhillon
Han Dong, John Fraser
Ernie Hardeman, Percy Hatfield
Randy Hillier, Monte Kwinter
Lisa MacLeod
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

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Granville Anderson, James J. Bradley
Grant Crack, Jennifer K. French
Jack MacLaren, Ted McMeekin
Lou Rinaldi, Mario Sergio
Daiene Vernile, Bill Walker
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**Standing Committee on Social Policy / Comité permanent de
la politique sociale**

Chair / Président: Peter Tabuns
Vice-Chair / Vice-président: Jagmeet Singh
Lorne Coe, Bob Delaney
Vic Dhillon, Joe Dickson
Harinder Malhi, Gila Martow
Ted McMeekin, Jagmeet Singh
Peter Tabuns
Committee Clerk / Greffière: Jocelyn McCauley